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THE

EDINBURGH ANNUAL REGISTER

FOR 1808.

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THE

EDINBURGH

ANNUAL REGISTER,

For 1808.

VOL. FIRST——PART FIRST.

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FOR JOHN BALLANTYNE AND CO. EDINBURGH;
LONGMAN, HURST, REES, AND ORME; CADELL AND DAVIES;
WILLIAM MILLER; JOHN MURRAY; AND
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THE Proprietors of the EDINBURGH ANNUAL REGISTER *having at length closed their labours for the year* 1808, *feel that an apology is due to the Public for the six months delay which has unavoidably occurred since the period of publication announced in their Prospectus. They are also aware of the duty of accounting for a deviation from their original plan, which has been the result of more mature reflection; and for certain* desiderata, *occasioned by circumstances over which they had no controul.*

With regard to the delay,—various disappointments took place during the progress of these volumes, after the arrangements of the Proprietors had been so firmly fixed, as to preclude, in their belief, the possibility of their occurrence. Motives of delicacy prevent them from being more explicit; but they assure their readers, that the delay has less arisen from any error or miscalculation on their part, than from the unexpected necessity of looking round, at a late period, for contributions, which they had all reasonable grounds to believe they

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had secured from the commencement of their plan. From these disappointments, however, no other disadvantage has arisen than the single one of delay; and their nature is such as to render their recurrence extremely unlikely, now that the first difficulties attendant upon the undertaking are removed, and the arrangements are so far methodized and completed.

The deviation from their original plan, which the Proprietors think it necessary to explain, consists in the omission of Original Essays upon subjects of Morality, Literature, and Science. They found, in the first place, that their limits would prove inadequate to the fulfilment of a plan so extensive as that originally delineated; and, in the second, more mature deliberation inclined them to think, that such discussions did not properly fall under the plan of a Register, which is rather a record of what has actually taken place, than a receptacle for Essays, however able or ingenious.

The desiderata *for which they must apologize, consist in the absence of the articles Biography,—the Useful Arts,—and Meteorology. In accounting for these, they are forced to return to the ungrateful plea of disappointment; but if the objects which they have actually accomplished be held as redeeming the greater part of their pledge, they trust they may receive credit for their earnest and unvarying determination hereafter to redeem the whole.*

For deficiencies in the execution of their work, the Proprietors do not presume to advance any unwonted claim to public indulgence. Candour will make allowances for the difficulties of a new undertaking, and will not deny to their efforts the pro-

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bable benefits of experience. They conclude by assuring their Readers, that, in so far as can be foreseen, their arrangements for the year 1809 *will ensure the publication of their Second Volume early in next spring.*

EDINBURGH, 21st JULY, 1810.

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PROSPECTUS.

The flourishing state of the literature of Britain and its widely-extended influence among her inhabitants, are blessings only inferior to those of civil peace and personal liberty, with which they are so closely entwined. On the Continent, the voice of historic truth has been silenced, and her researches interdicted. The progress of despotism has been as universal as rapid. From the shores of Holland to the Cimmerian regions of Tartary, light after light has been quenched, and nation after nation consigned to the darkness and apathy of ignorance. The states of Switzerland and of Holland, the smaller principalities and civic republics of Germany and Italy, have been forced to resign that independence, which had been spared by former conquerors, even when defended only by an ancient and venerable name. Those free cities, which cherished the earliest sparks of religious reformation, and the hardly less sacred embers of classical learning, have, one by one, beheld their press broken or fettered, their academies new-modelled or dispersed, their authors awed into silence by proscription and military execution, or more shamefully bribed to plead the cause of foreign tyranny, by orders, ribbands, and pensions. Not only has the main current of history been intercepted, but the lesser channels of information, those journals, newspapers, and other periodical publications, whose supplies, though individually scanty, are as essential as those of brooks to a river, have been altogether cut off, or polluted at their very source. There is no voice left upon the Continent to tell the tale of universal subjugation, or bequeath to posterity the legacy of retribution.

In such emergency, it is fortunate, not for England only, but for the world, that there never was a period of our history, when knowledge was so widely diffused, learning so highly honoured, and literary merit so much fostered and caressed. We would willingly, in circumstances so honourable to Britain, trace an omen of the future political regeneration of Europe. If the love of knowledge, elsewhere damped or extinguished, glows among us with a brilliance more dazzling as more condensed let us trust that it is preserved

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by the wisdom of Providence for the future exigencies of the universe. The Greeks, after the Persian invasion, decreed, that their household fires, polluted by the Barbarians, should be rekindled by a brand from the altar of Apollo. It may not be too proud, or too presumptuous a hope, that our island is destined one day to be the Delphos, wher ⁰ nations whose colleges and shrines have been contaminated by a yet more cruel, because a more systematic tyranny, shall repair to obtain a spark of re-illumination. Where, indeed, unless in the annals of Britain, can future historians derive materials for the history of this eventful period? It must not then be wondered at, that at such a time, and with such a prospect, each, even the feeblest among us, should proffer the exercise of his talents, where likely to be attended with the slightest advantage to the cause of British history: and it is under these impressions, that the Editors of this work offer to the Public the present plan, conscious, that while their task is humble and unostentatious, the execution cannot be considered as useless or unimportant.

In assuming, for their proposed Work, the title of THE EDINBURGH ANNUAL REGISTER, the Editors are sensible that they load themselves with additional responsibility. The metropolis of Scotland has been long a mighty name in the annals of literature, though, perhaps, never more universally honoured than in the present day. The editors dare not hope that their efforts can add to its fame; yet, should they be able to carry into effect the plan now submitted to the public, they trust THE EDINBURGH ANNUAL REGISTER will be no discredit to the city where it is published, and whence it derives its name.

I. THE HISTORY OF EUROPE, for the year 1808, will occupy the first general division of the proposed REGISTER. The Editors are aware of the peculiar difficulties attending the composition of such annals; the enumeration of which may shew, that they have carefully considered the subject, and are prepared to combat, if not to overcome them.

The requisites demanded for the composition of general and of periodical history, do not, perhaps, greatly differ. A sacred veneration for truth; a patient research through dubious and contradictory authorities; a lucid arrangement of the materials so painfully collected; a judicious selection, generalising details, yet retaining every circumstance characteristic of the actors and of the age; a style, emphatic and dignified in the narration of important events, concise in the less interesting passages, but natural, clear, and unaffected through the whole; these requisites are as peremptorily demanded from him who compiles the annals of a year, as from the

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historian of a hundred centuries. Or, if some abatement be made in favour of the humbler labourer, it will hardly be found to counterbalance his disadvantages. The materials of the Historian may indeed be of difficult access, of dubious authority, meagre in amount, obscure in purport, and irreconcileable with each other. But there are substitutes for these deficiencies. Time to collect, to systematize, to collate, and to arrange his materials, is at the writer's command; and, where industry is totally unsuccessful, he possesses, or at least often claims, the right of exercising ingenuity and conjecture. The scantiness of facts may be lawfully supplied by hypotheses, provided the author can make those which he possesses hang together, and depend upon each other. If one volume supply him with the commencement of a war, and another authority with its termination, the space between may be safely filled with conjectures, which cannot be easily refuted, if accommodated to the admitted events. The historian may thus throw an arch over a gap in his authorities, for he has facts on which to found the abutments at each extremity. But the annalist has no such licence. His conjectures rather resemble the bridge in the Vision of Mirza; one end, indeed, fixed and visible, but the other lost in the clouds and darkness of futurity. Even while he writes, the passing hour may give the lie to his theory ere it is dry upon the paper; and, should he venture at prophecy, he will do well previously to insure the gift of inspiration. Of the quantity of his materials, the Annalist has indeed little reason to complain; but, in value, they are far inferior to those of the Historian. Authentic documents and original state papers, can only be recovered after the lapse of generations, and their place is but poorly supplied by contemporaneous reports, founded so frequently on wilful falsehood, or popular exaggeration. The superabundance of such ephemeral and apocryphal materials encreases the difficulties arising from contradictory authorities, and doubles those peculiar to the Annalist, from the shortness of time permitted for selection, collation, and arrangement. It were to be wished that the evil stopped here. But, although the Historian himself ought to beware how he yields to the seduction of theory, or of prejudice, the danger from such prepossessions is enhanced in a more formidable degree to him, whose narrative comprehends only the passing events of his own times. The prejudices of the former are those of a solitary student, peculiar to himself, and which either the counsel of friends, or the voice of candid criticism, may enable him to correct. But the contagion of party feeling is not confined to the Annalist's own mind; it is above, about, and around him; he breathes in an infected atmosphere; and is strengthened in his er-

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rors, scarcely more by the factious applause of his friends, than by the no less factious opposition of his adversaries.

Yet these various disadvantages, though formidable, are not insuperable; they may be lessened, if not totally overcome. Sedulous attention, and the assistance of judicious and well-informed friends, may enable the Annalist to sift his materials, and to digest them in an order, which, though it can hardly be expected to exhibit the philosophy of history, may present, in a connected and systematized narrative, those facts, which have been given to the public in insulated and individual irregularity. The advantage of such contemporaneous history will be readily appreciated, when we attempt, without its assistance, to recall to memory the events of our own time. Such and so rapid has been their transition, and so frequently have the important news of yesterday been lost and merged in the yet more momentous intelligence of to-day, that the confused, dark, and indistinct impression is as shapeless as the cloud that has drifted to leeward after discharging its thunders. To this may be added, that, from the abrupt mode in which intelligence is communicated through the channels of gazettes and newspapers, it is often difficult, or impossible, to trace events to their operating causes. The Historical part of THE REGISTER will at once have the advantage of recalling the events of the past year to the memory, and of tracing their progress, bearings, and dependencies. No efforts shall be spared to procure the most enlightened and authentic intelligence concerning occurrences of importance, both Foreign and Domestic; nor would the Editors intrude themselves upon such a task, were they not confident of possessing sources of information not generally accessible to the Public. In narrating public struggles, and particularly those of a domestic nature, they feel equally the delicacy and the importance of their duty. To assert that they are capable of reviewing and relating the debates of two contending parties, each claiming the praise of unbiassed rectitude of intention, and boasting the distinction of the most splendid mental endowments, with minds uninfluenced by the arguments of either, would be the extremity of presumption; since it would be assuming to themselves the power of observing a golden mean, while the ablest and most enlightened of the kingdom were swerving into extremes. But, if to ground their political creed, not upon party, but upon principle; if to be absolutely and utterly unconnected with any political persons, in power or in opposition; if to be alike without hope and without fear, beneath flattery, and far above threats;—if these can give a claim to independence, the Editors may assert it with confidence and with truth. They therefore trust, that the annals which they essay to compile, may be found useful

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materials for future history, if themselves shall not be thought worthy of aspiring to that distinguished name. And if, as must happen after their best efforts, they shall be occasionally misled, future writers may learn from their errors the "form and pressure" of the time in which they lived, and observe, with advantage, how differently the same events affect the contemporary writer, and those who are removed from the misrepresentations and prejudices of the period in which they have passed.

II. As an APPENDIX to the History will be offered an ample COLLECTION OF THE STATE PAPERS of the year. The use of these is sufficiently obvious; and care will be taken, by comparing the translations with the originals, to give Foreign Documents in a more correct state than that in which they are usually offered to the British Public.

III. CHRONICLE OF REMARKABLE EVENTS. This is intended to comprehend such incidents, as either form no part of the general history of the year, or are only slightly touched upon. It will naturally contain—

1. Proceedings of the Courts of Justice in remarkable cases in England, Scotland, and Ireland.

2. Casualties, and Remarkable Occurrences, Foreign and Domestic.

3. Promotions, Marriages, Births, and Deaths.

4. BIOGRAPHY of Remarkable and Eminent Persons. If the Editors are able to render their publication valuable in other respects, they have little fear that this Branch will be enlarged at least, if not altogether supplied, by the voluntary contributions of those who seek a respectable place of deposit for the commemoration of departed genius and worth.

IV. HISTORY OF LITERATURE, foreign and domestic. It has been common for works of this kind to contain a Review of new publications. But it appears to the Editors, that, from the limited space which could be assigned to such a Review in their volume, it would be in every point unsatisfactory, even if that high department of literature were not already in the hands of others, whose acknowledged abilities stand pledged to its fulfilment. But a historical account of the state of learning, which, without pretending to analyze popular works, or make extracts from them, only professes to point out the extent and the causes of their popularity; to trace how far they have been dictated by the taste of the public, or have given it a new impulse; and, to give a general and systematic view of contemporary literature;—this is still a *desideratum*, yet cannot be alleged to interfere with the labours of periodical criticism In this view of the publications of the period, the usual rule

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of criticism is indeed in some degree reversed; because, instead of enquiring how far they deserve success, it is intended to ascertain, how far popularity, actually obtained, is grounded upon real merit, or upon adventitious circumstances. In short, it is designed to present a view rather of the state of public taste, than of the individual works by which it has been influenced, or attracted. General, however, as such a report proposes to be, it must necessarily include some account of those works which have gained a more than common share of popularity, as well as of the periodical criticism which has for its professed object the just direction of public taste.

V. HISTORY OF SCIENCE. A difficult but most important object in the plan, is to trace the annual advances of Science. Philosophical discovery is by its nature progressive; new objects rise in endless succession; the circle of the horizon swells on the view; and that perfection which admits continual approach is the term of all human attainments. Science presents two grand divisions—the Mathematical, and the Physical. Mathematics, after so many ages of successful culture, may be presumed to have, at length, reached their maturity. They still continue, indeed, to advance; but their progress is not marked by those corruscations which dazzle the incurious spectator. Much, however, is yet wanting in the beauty and adaptation of the materials, to complete the symmetry of that vast creation of genius.—The scattered acquisitions, whether calculated to enlarge the structure, or to improve its simplicity and elegance, shall be noticed with peculiar satisfaction.

The science of Physics forms the peculiar boast of modern times. Guided by the light of experiment, it has made the most astonishing advances, and continues to move forward with accumulated force. Wherever it has received the aid of Geometry, its progress has been solid and complete. Astronomy, founded on observation, combined with mathematical research, is justly regarded as the most perfect and sublime of all the sciences. It has acquired essential improvements, even in our own times; and the more recondite laws of the universe, which the revolution of ages will confirm, have been disclosed, by the skilful application of the higher analysis. These abstruse deductions will, no doubt, be gradually simplified and extended. But the kindred sciences of Navigation and Geography promise more rapid improvement. Discoveries must keep pace with that spirit of activity and enterprise which distinguishes the present period,—when intelligent travellers penetrate the remotest countries,—and ships, in the pursuit of schemes, either of war or commerce, cover the face of the ocean.

Natural philosophy, in all its branches, acquires successive improvements. Mechanics and Hydrostatics have already attained a certain degree of stability. But Hydraulics, notwithstanding the

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partial assistance it has derived from Geometry, is yet in a very imperfect state. Within these few years, however, the investigations have been resumed with better effect; and the improvements which this useful branch of science is destined to receive, may be anticipated with confidence.

Those parts of Physics which have not yet formed an union with mathematical science, are to be considered as still in their infancy, and therefore promising a plentiful harvest of discovery. Magnetism affords curious and interesting results; but Electricity exhibits the most brilliant and surprising combinations: And these popular sciences, inviting a greater number of inquirers, and as yet demanding no severe study, and little reach of thought, are proportionally enriched with new facts. Galvanism, which so closely allies with Electricity, has very recently given occasion to some discoveries of the most unexpected and striking kind. Chemistry, for the same reason, is in a state of rapid advancement. Natural History continues to be cultivated with ardour and success. Mineralogy, in particular, has, within these few years, acquired consistency, and received prodigious improvements. Even Geology, which pretends, from such slender data, to explain the formation of our globe, if it should not withdraw the attention from more serious occupations, may at least amuse its zealous votaries.

The details respecting the progress of science, are dispersed through a multitude of works in various languages,—in Literary Journals,—in the Memoirs of Academies,—and in the Transactions of Learned Societies. It shall be the sedulous endeavour of the Editors to collect those scattered materials; to arrange, dispose, and condense them into one connected view; and to infuse interest and spirit into the historical deduction; to trace out the various bearings which the new objects present, and to offer such reflections and anticipations as the review of them may suggest. In the execution of this arduous task, the Editors are assured of powerful assistance, from some, who, having trod the paths of discovery, feel intensely the passion for philosophical inquiry, and will, with alacrity, contribute their unwearied efforts to forward a plan, which holds forth the prospect of such important benefits to the general interests of science.

VI. HISTORY OF THE FINE ARTS; comprehending Painting, Architecture, Music, and the Drama; in each of which departments, it is proposed annually to report new improvements and discoveries; the merits of new professors; the impression which they have made on the public, and its causes, to whatever sources they are to be ascribed.

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VII. HISTORY OF THE USEFUL ARTS. In giving an account of the application of science to the Arts of Life, the Editors are sufficiently conscious of the importance and difficulty of their task. The various machines and processes, perpetually obtruded on our notice, are not unfrequently the copies of useless and forgotten inventions; and, even when distinguished by novelty or genius, they are seldom intelligible to the general reader. The studied obscurity and conciseness of the patentee, and the inability of illiterate mechanics to communicate their sentiments and plans, otherwise than in the dark and technical phraseology of their profession, have rendered uninteresting a branch of science, which has the most immediate influence on the happiness and advancement of our species. In detailing, therefore, the annual progress of the Useful Arts, the Editors will select from the shapeless mass which has accumulated during the year, and will describe only those machines which are ingenious and useful, and those processes in Agriculture and Manufactures which have received the sanction of observation and experiment. By thus concentrating the loose materials which are dispersed through the pages of periodical works, and by endeavouring to obtain Original Communications from the Inventors themselves, many valuable discoveries may be rescued from oblivion, while the ingenious and unfriended artist is honoured with the reward of national gratitude

VIII. HISTORY OF THE ATMOSPHERE, or Progress of Meteorology. The present imperfect state of Meteorological Science will render this department of our Work peculiarly interesting and useful. A judicious collection of atmospherical phenomena, is the sole foundation for a sober and lasting theory, and can only be obtained from the enthusiasm and diligence of ingenious observers. By marking, therefore, the density, temperature, and humidity of our atmosphere;—by noting the variations of the tides, the temperature of springs, and the force and direction of the winds;—by recording the more brilliant and terrific changes among the elements, which issue in the thunderbolt and the meteor;—by recording these and other aërial phenomena, we may expect a rich harvest of discovery, and contribute to give form and stability to an infant science.

IX. COMMERCIAL, FINANCIAL, AND STATISTICAL TABLES; comprehending Prices of Stocks, Grain, and general Merchandise. Concerning these articles, the Editors can only promise their utmost endeavours to render them at once accurate and comprehensive.

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* The references to these have been accidentally omitted in the body of the work.

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Prince Regent of Portugal, that he may deign to attend to, protect, and preserve the sacred rights which their August House has to the Throne of Spain and the Indies; which Throne the Emperor of the French, by means of an abdication or renunciation, executed under the most atrocious and detestable violence, has recently torn from the hands of the King, Don Carlos IV., and their Royal Highnesses the Prince of Asturias, and the Infants, Don Carlos and Don Antonio. - - - lxxxv

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THE

HISTORY OF EUROPE,

1808.

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LIST of the CABINET MINISTERS and CHIEF OFFICERS of the Crown, 1808.

Earl CAMDEN, ... President of the Council.
Lord ELDON, ... Lord High Chancellor.
Earl WESTMORELAND, ... Lord Privy Seal.
Duke of PORTLAND, ... First Lord of the Treasury.
Lord MULGRAVE, ... First Lord of the Admiralty.
Earl CHATHAM, ... Master-General of the Ordnance.
Lord HAWKESBURY, ... Secretary of State for the Home Department.
Mr CANNING, ... Secretary of State for Foreign Affairs.
Lord CASTLEREAGH, ... Secretary of State for War and Colonies.
Mr PERCEVAL, ... Chancellor, and Under Treasurer of the Exchequer.

Mr R. DUNDAS, President of the Board of Controul.
Earl BATHURST, President of the Board of Trade.
Mr ROSE, Vice-President, and Treasurer of the Navy.
Lord C. SOMERSET, Mr LONG, } Joint Paymasters.
Earl of CHICHESTER, Postmaster General.
Mr HUSKISSON, Hon. Mr WELLESLEY, } Joint Secretaries of the Treasury.
Sir WILLIAM GRANT, Master of the Rolls.
Sir VICARY GIBBS, Attorney-General.
Mr PLUMER, Solicitor-General.

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HISTORY OF EUROPE,

1808.

CHAP. I.

State of Affairs in England. Unpopularity of the last Ministry, and its causes; their dereliction of principle, and their mismanagement abroad. Good which they did. The limited service bill, and the abolition of the Slave Trade. The question of Catholic Emancipation examined. State of parties in the House of Commons.

The situation of Great Britain, at the beginning of the year 1808, was more extraordinary than any that is exhibited in the history of former times. After a war, which, with the short interval of the peace of Amiens, had continued fifteen years, and, at the commencement of which all Europe had been leagued with her against France, her last reliance upon the continental governments had failed, and all Europe (Sweden alone excepted,) was so humbled, that it was manifest the few states which still preserved a semblance of neutrality, would soon be compelled into a confederacy with France against her. The French military force, and the English navy, two the most tremendous powers that had ever yet existed, were opposed to each other without the possibility of coming in conflict. Masters, as the French were, of the continent, all thoughts of attacking them by land were at an end, and neither they nor their allies dared show their flag upon the sea. We, therefore, could not in any way lessen the power of the enemy, neither could they subdue, nor in any way weaken us. The threat of invasion had long been laid aside; that it had been seriously * intended by Buonaparte, at the recommencement of hostilities, is beyond a doubt; but the spirit with which all England flew to arms at the menace, had intimidated him, and his gun-boats were left to rot in the harbour of Boulogne. Secured against this bugbear, by its confessed abandonment, by our fleets, and still more by our internal strength, we were carrying on the war, equally without fear and without hope.

The state of our home politics was not less remarkable. For the first

* An English gentleman, who had received some civilities at Paris, during the peace, from one of Buonaparte's favourite generals, upon taking his leave, invited him to his seat in England, if ever he should visit that country. *Quand je viens en Angleterre, je viendrai sans invitation*, was the insolent reply.

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time, we were under an administration without a name; its ostensible head, the duke of Portland, was a man who never appeared in parliament, and who was never either spoken or thought of by the public. The other members held their place, less by their own strength, than by the weakness of their opponents. Of all administrations, indeed, that of "All the Talents," as it was denominated, had been the most unpopular. The two parties of which it was composed had been for many years engaged, not merely in opposition, but in absolute enmity and hatred of each other; and their coalescence was like the combination of two chemical substances, each having a distinct character of its own, which, when they meet, and are neutralized, is lost in both. The Grenville party suffered least by this union; for it had less to lose, and had made the fewest concessions of principle. The peace of Amiens had placed the talents of Lord Grenville in a stronger light than they had ever before been seen in: the same prophetic foresight which Mr Fox had displayed when the first unhappy war was undertaken, he had manifested at its fallacious termination, and that too with a feeling of national honour which all his opponents seemed in some degree to have laid aside. In another point, also, his character stood higher than that of Mr Pitt; for, both of them equally favouring and being equally pledged to the measure of Catholic Emancipation, he had refused to abandon that measure as the means of coming into power, when Mr Pitt thought proper to concede it. Lord Grenville, therefore, on his re-entering into administration, was looked to with confidence, by those who expected great benefits to result from this Emancipation, as it was pompously termed; by the remains of that once numerous portion of the people, who, having formerly been duped by the Anti-Jacobin alarmists, regarded the old minority as the most dangerous enemies of their country, and relied upon him, as their security against them; and by that wiser class, who, however they had differed concerning the justice and necessity of the last war, were convinced that the present was unavoidable; and that England had no other danger to apprehend, than that of being entrapped into a deceitful peace. To the Catholics, and to a vigorous prosecution of the war, so long as war was essential to the safety and honour of the nation, Lord Grenville and his friends were pledged; to these points, and to these only. With the Foxites it was otherwise: their leader was bound, as strongly as professions could bind him, to obtain the repeal of the Test Act; and, with the same reason, a reform in the representation of the people was expected from Lord Howick. It was expected, and justly expected, from these statesmen, now they were in power, that each should effect the measure which he had so often and so strenuously brought forward when in opposition; and from the whole party, the removal, or, at least, the modification, of the income-tax was looked for, which they had formerly resisted as so inquisitorial in its principle, so iniquitous in its proportions, and so oppressive in its operation. The promises of men in place have long been considered as proverbially worthless; the professions of those who are out of place are no better. Upon the death of Mr Pitt, the government fell, as it were by inheritance, to his opponents.

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The sinecure which he had vacated, was secured by one of his colleagues, and then, without a struggle, they yielded to the influence and reputation of their successors.

Lord Castlereagh told them they had succeeded to a bed of roses; a phrase which became for a time, from its ridiculous inapplicability, a bye-word among the people. Great, however, as were the difficulties of the times, the uniform ill success of their measures was to be attributed at least as much to misconduct, as to mishap. It was apprehended that the French would again seize upon Egypt, and take to themselves the whole of the Levant; the Egyptians, weary of the ignorant tyrants who degraded them, longed to be again under the dominion of a more enlightened power; they had successively experienced the effect of French and of British protection, and decidedly preferred the latter: the common cry was, "English if we can, but *hats* at any rate." When it was determined to prevent the enemy from obtaining possession of this important country, and information was required concerning the force that would be requisite, it was replied, that five thousand men might secure Alexandria; but, if it was meant to take Egypt, twenty thousand would then be wanted. Five thousand were sent; they attempted to do that for which twenty were necessary, and the consequences were equally disgraceful and disastrous. At the same time, an expedition was sent to Constantinople to overawe the Porte; and there also, from causes which have never yet been satisfactorily explained, we retreated with shame, our fleet narrowly escaping from the enormous stone-balls of the Turkish artillery. But the heaviest loss, and the deepest dishonour, which the British arms sustained, was at Buenos Ayres. That city having been surprised without the knowledge, and against the wishes of government, the ministry, in condescension to a popular cry, consented to carry on plans of conquest, which, in their own better judgment, they disapproved; and, instead of establishing an independent government in those colonies, for which the opportunity was so favourable, began to dream of subduing South America; they sent out General Whitelocke, and, by his gross incapacity, --- hundred brave men were destroyed, and the rest of the army reduced to an ignominious capitulation. Every ministry will be judged of by its contemporaries according to the success of its measures; nor is the criterion altogether false: for, though wise measures may perhaps fail, it is impossible that foolish ones should prosper. Neither was it sufficient in these instances to shift the blame from administration to its agents, and complain that they had been unfortunate in their transactions abroad: in such cases, unfortunate is but another word for unwise; and, as a general is responsible for the safety of his army, so ought a minister to be answerable for the capacity of the ambassador or commander to whom he has intrusted the interests of the nation.

They sinned equally in what they attempted, and in what they omitted to attempt. It was not possible to have assisted Prussia at Jena,—for Prussia had given us no time for co-operation; and her king, relying too confidently upon the fortunes of the house of Brandenburgh, upon his own popularity in the north of Germany, his untried strength, and the inherited reputation of his armies,

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was playing an ambitious game, of which Hanover, and perhaps Holland, with an imperial crown, would have been the prize. A memorable lesson was afforded to posterity in that disastrous battle, when a single day sufficed for the overthrow of a power, which it had taken a century of violent and iniquitous policy to build up. But, with the Baltic open to our fleets, we might have assisted Russia; an English force might have relieved Dantzic; an English army might have been present at Pultusk and at Eylau, and would probably have rendered either of those battles a decisive victory over the French; an English army might have drawn off part of the strength of France from Russia, and either by such a diversion, or by its presence, have changed the fortune of the day at Friedland. But, instead of exerting the resources of Great Britain now, when, for the first time, the popular opinion upon the continent was in our favour; when the writings of enlightened men had succeeded in exciting against the French that feeling, upon which, at the commencement of the war, their strength was founded; and when Buonaparte, throwing off the mask, had manifested himself to all Europe, by the murder of Palm, for the bloody and insolent tyrant that he is; instead of taking advantage of these circumstances, and the spirit of resistance which had arisen, our ministry stood aloof from the contest, leaving the continental powers to fight their own battles, as if their victory was not to be our gain, and their defeat our loss. This timorous policy explained what were the concessions which the Grenville party had made to their colleagues; and the nation perceived, when it was too late, that the good which either party might have produced by acting wholly upon its own principles, was not to be expected from a coalition which had paralysed both.

The parliamentary conduct of the Foxites disappointed still more poignantly those who had fixed their hopes upon them. Catholic Emancipation was adjourned till a more convenient season; the dissenters looked in vain to Mr Fox for the repeal of the Test Act; and Lord Howick, so many years the foremost advocate for a reform in the representation, had now discovered that it was not the general wish of the people of England. The income-tax, instead of being more equally proportioned, was doubled; and the full impost of ten per cent., which Mr Pitt, with sufficient rigour, had made commence with incomes of two hundred a-year, was levied upon those of one. Cruel and iniquitous as this tax was in the highest degree, the most oppressive to which a free people has ever submitted, it was made as vexatious as possible, by compelling those persons, whose little incomes were below the standard of taxation, to pay their full proportion, which they were afterwards to recover by producing proper testimonials; thus subjecting them to certain trouble, probable inconvenience, and not unlikely loss, from their ignorance how to apply for restitution, and the difficulty and expence of taking a journey to obtain it.* Such, indeed, were the first proceedings of this

* The extension of this impost to this most burthensome degree, obtained for Lord Henry Petty, by whom it was brought forward, the name of the Rehoboam of Taxation, because his little finger was heavier than his predecessor's loins.

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party, when in possession of that power which had been for so many years the object of their wishes, that the sorrow and humiliation with which they filled those persons who had hoped for better things, could only be equalled by the pleasure of their enemies, and the astonishment of all men. Every debate afforded some fresh instance of pliability; old doctrines were recanted, new ones, which were utterly incompatible, advanced; and language, which had formerly been used for the purpose of obtaining popularity, was explained away, till no meaning was left which could either have flattered the mob, or offended the most submissive devotee of the crown. "What shall we hear *unsaid* to-night?" was the triumphant sneer with which the New Opposition used to enter the House of Commons; and the general question was,—If these be the principles of the Foxites, what is it that has kept them out of place till now? To these causes of general disgust, (for, except the mere hangers-on of the party, all persons were disgusted, those whose opinions were taken up, and those whose opinions were cast off, alike,) other circumstances are to be added, which were even more offensive to the public feeling. Never before had so total a displacement been made in the offices of state; hitherto such changes had been confined to those great places which are the stakes for which the game of politics is played: the revolution extended farther now, and men, too humble, it might have been thought, to be considered as belonging to any party, and who regarded themselves, and were regarded, as possessing a life-hold property in their respective situations, were ejected to make room for a set of hungry partizans. The facetious complaint of the leader of the party, that they lay three in a bed, got abroad; and the people of England sorrowfully remembered the old fable of the Fox and the Flies.

Nevertheless, this ministry, deplorably as it disappointed the nation in other respects, has the merit of having effected the two most important and beneficial measures of the present reign. Mr Windham's Army Bill is the one. By this, the country was relieved from the mode of raising the militia by ballot, a method in every respect the worst that could be devised; operating upon those who can afford to pay for substitutes, as a tax by lottery; upon the poor, as absolute compulsion; and impeding the regular recruiting service, by tending inevitably to raise the price of men. No law was ever yet so beneficial to the whole peasantry, and poor of England, as that which delivered them from this great and heavy evil. That part of the bill, which substitutes service during a limited term of years, for that indefinite and hopeless bondage to which our soldiery had hitherto been doomed, had long been called for by enlightened men; its consequences, if left to their natural operation, will, in the course of half a century, fill our towns, villages, and hamlets, with men, who, having employed the restless activity of youth in seeing the world, and retired, when that restlessness is abated, to calmer occupations, will at all times be ready for the effectual defence of their country; and will, by their stories of what they have seen, excite the rising generation to follow the same course. The crimp, and the hardly less nefarious practices of the recruiting serjeant, may thus be dispensed with;

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and a soldier's life, into which, under the old system, the criminal was forced, the innocent inveigled, and only the dissolute and desperate voluntarily entered, would become the deliberate, and not imprudent choice, of young mechanics and peasants; so that, once to have served, would almost be regarded as a regular part of their way of life. As this bill removed one reproach from our army, so also was it regarded as a pledge that other disgraceful parts of our military system would be done away, whenever the power of the ministry should be commensurate to the disposition which they indicated. It was hoped that corporal punishment would be exchanged for some wiser and humaner means of amendment, and that a method would be devised of assimilating martial law to the principles of freedom and of justice.

The abolition of the African slave-trade was their other redeeming act; an act of more certain, unmingled, permanent, and extensive good, than it ever before fell to the lot of any prince, potentate, statesman, or government to effect. Thomas Clarkson is the man, whom this age, and all succeeding ages, are bound to bless and reverence, as the main cause and mover of this abolishment, under that Almighty Father who inspired and strengthened him. With him the work began; it was carried on by the unabating zeal of Mr Wilberforce, and that excellent body of Christians, the Quakers; Mr Fox, as if foreseeing how soon his days were to be summed up, pledged the House of Commons, by one of his last measures, to accomplish it; and the honour of carrying it into effect was reserved for Lord Grenville, who, from the time that the question was first agitated, had zealously and sincerely espoused the cause of humanity, and who has oftentimes said in the bosom of his family, when the triumphant result was not to be foreseen, that, come death when it would, the remembrance of the part which he had taken, would be his consolation. The royal assent to the abolition was not obtained till immediately before his dismissal from power; otherwise, it was his intention to have appointed a day of general thanksgiving throughout the British dominions. It was, indeed, an event worthy of being celebrated thus solemnly; and the day whereon it was completed, should have been set apart for commemoration of joyful piety for evermore.

The late ministry are entitled to the more praise for these redeeming measures, inasmuch as they had to contend for both against the greatest and most formidable influence. In fact, neither all their political errors, nor their political sins, occasioned them such powerful enemies, and they were hated most for the good which they had done. The army bill was an experiment, an innovation; things more annoying to the sons of darkness, than day-light to the birds of night. The abolition provoked the desperate hatred of all those whose interests were involved in the trade of man-stealing; a body of men, who, during the long struggle between good and évil, which Clarkson had occasioned, availed themselves oftentimes of means hardly less infamous than the cause which they defended. Accordingly, when the change of ministry rendered a new parliament necessary, no other place in England was disgraced by such riots as Liverpool. Their late member, Mr Roscoe, was not less remarkable for his private virtues, than

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eminent throughout all Europe for his literary productions. Born among them, and living among them, they who differed from him the most widely in opinion, had hitherto respected his high and spotless character; yet, on his re-appearance as a candidate, ruffians were posted to attack him; the horse of one of his friends was stabbed, and a young man killed; so that, to prevent farther evils, he withdrew from a contest which was carried on against him by force of arms.

The question upon which this ministry ventured to try their strength with the king, and in which they were compelled to yield not only the measure in dispute, but their authority also, increased the load of unpopularity under which they laboured. After the manner in which the subject of Catholic Emancipation had previously been waived, they lost more credit now by the want of sagacity which was betrayed in thus bringing it forward, than they gained by their adhering to the principle, even among those who favoured it. But they who favoured this Emancipation, as it is absurdly and falsely denominated, (for the word implies a previous state of bondage,) were chiefly of two descriptions;—Dissenters, who consider a repeal of the Test Act as its necessary consequence; and men, whose readiness to tolerate any system, proceeds from their indifference to all. A third class may be added,----those who, knowing the truth, and loving it sincerely and ardently, believe that pure religion may grant safely to all forms of error, that perfect liberty which is all that it requires for itself; but these persons are few in number, and are not those whose voice is heard abroad. The majority of the people had never thought of the question, till an appeal was made to them concerning it by a general election; but they knew that popery was a bad thing, against which their fathers had borne testimony at the stake, which had been subdued with great difficulty, and which, for two centuries, had been considered as perilous to the state; this they knew, and their natural conclusion was, that it could not be right now to encourage, what it had so long been our object to destroy.

The opponents of the measure were of two classes; the first and loudest were a base crew, the hired retainers of party, and the noisy hunters after preferment. Their cry was, "The church is in danger;" they represented the fallen ministers as enemies to it, and their clamours were dishonourably and dangerously fomented by some of those who came into power upon the dismissal of their rivals. Others reasoned thus:---The proposed Emancipation would be useless at all times, and dangerous at present; dangerous, because its immediate effect would be to introduce Irish priests into our army and navy; men acting under orders from a church which Buonaparte has ostentatiously restored, and which he will use in whatever manner his policy may require;---useless,* because it will not satisfy those whom it is intended to conciliate. It is not with such concessions that popery will be contented, nor with any thing short

* The state-prisoners in Ireland told the privy council this, and it has been repeated by Emmett and M'Neven, in their Fragments for History, published in America.

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of its full and paramount supremacy. Are, then, its advocates prepared to concede this? and have they forgotten that they who are themselves intolerant, have no claim to toleration? and that intolerance has been the uniform practice of the Catholic church, whenever and wherever it has had power to act upon its immutable and necessary principles?

Further it was urged, the English Catholics enjoy full liberty of conscience, and as many indulgencies as are compatible with the well-being of the Established Church. The religion of the country is the law of the country; and, to admit into parliament those persons whose desire and duty it is to bring about the subversion of that religion,---to place them in the situation of law-givers, would be a manifest and palpable absurdity. The rigorous penal statutes, which their own desperate measures formerly rendered necessary to the safety and very existence of government, have been relaxed as time and circumstances changed; they have the free and public exercise of their religion, and the unrestrained use of the press. More could neither reasonably be asked, nor consistently granted. And, indeed, indulgence was already carried too far; for, though it was not pretended that the increase of popery was now likely to endanger the public weal, there were instances of its occasioning great private distress, which could not have happened, if the old wise precautions were enforced. The monks and nuns who took refuge here from the revolutionary troubles in France, had been permitted, as many of them as pleased, to follow their accustomed way of life. Common humanity required this; but here toleration should have stopt. It should not have been permitted them to recruit their numbers by the admission of fresh members, and thus to perpetuate these communities, and re-establish monastic institutions in England; still less to wean away protestants from the established faith, and from their parents' houses, and induce them to take the monastic vows. The experience of all countries has shown that such institutions are prejudicial to the state, and in every way productive of more evil than good; and, if it be thought proper to represent them as Bedlams, which the maniacs chuse for themselves, it must not be forgotten that religious madness is infectious; that the Catholic clergy inoculate for it; and that they would not communicate the contagion, unless these hospitals were ready to receive the patients.

Let us not, it was said, deceive ourselves, nor imagine that the character of popery is to be taken from the Catholic laity of England. It is to their priesthood we must look; and from their publications we shall find, what indeed no man who understands the system can have doubted, that its character is indelible; that it is still the same bedarkened and bedarkening superstition. Bishop Gardiner has his advocates; the tricks of the continental miracle-mongers are circulated here as undoubted works of divine interposition; and St Winifred works wonders, which are approved and published by the heads of the Catholic clergy. There is a coarse, but scriptural appellation, whereby our fathers were wont to designate the church of Rome. It is now the fashion to represent her as a decayed gentlewoman, venerable for her years and misfortunes. Misfortunes may indeed entitle her to compassion, but

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to nothing more; nor is her former vocation ever to be forgotten, while a rag of the red petticoat remains.

But it is for the sake of * Ireland that this emancipation is urged; and the state of Ireland, it must be admitted, is so desperately bad, that any remedy, however violent, may justifiably be tried, if it affords the slightest reasonable prospect of success. Alas! is this then the panacea, the political Balm of Gilead which is to remove her complicated disorders,—disorders that have arisen and grown inveterate, and rooted themselves, as it were, in the very nature of that unhappy country and its inhabitants, during six centuries of continual mismanagement! Two hundred years ago, when the Bollandists began that great collection of hagiography, which is, perhaps, the most extraordinary monument in existence of folly and of fraud, they protested in their preface, that they could not vouch for the lives of the Irish saints. What they admitted at that time, is equally true in this;—the Irish Catholics, whether at home or abroad, still exceed all others in superstition. Nor have they abated one jot of the fierceness of their intolerance, since that never-to-be forgotten massacre of the Protestants, when six hundred Franciscan friars, (it is the boast of their order!) throwing off their disguise, appeared in their own characters, to assist in and direct the execution of the infernal plot, which they had instigated and organized in secret. Providentially for Ireland, this disposition was manifested early in the late rebellion, and it broke at once the strength of the rebellious union; for, when the Wexford insurgents set fire to a barn which they had filled with Protestants, the dissenters of the northern provinces, who were on the point of taking arms, instantly perceived the fate which awaited them, if the government were overthrown, and returned to their allegiance, happy that they had discovered their error in time. The plea, therefore, that favour may now be shown to this religion, because its spirit is ameliorated, and its followers more enlightened, does not apply to Ireland, even if it were applicable elsewhere.

But concessions and conciliation, it is said, are now become necessary

* By far the ablest publication upon this subject, is a little pamphlet, called, "A Sketch of the State of Ireland, past and present." It is written with too ambitious an affectation of the style of Tacitus, itself a bad style, but, as in its model, the matter amply atones for the manner. "On the subject of Catholic emancipation," says the unknown, but truly liberal and enlightened writer, "all men speak and write, but few candidly; its supporters and its opponents are equally injudicious or unjust: the reason is, that the parties of the state have divided the question between them, and contest it, not for its sake, but their own; it is the means, not the object of the war:—the green and blue of Ireland, the colour of the division, not the cause. This Emmett and M'Neven, liberal, sagacious, and well-informed, have admitted; though Keogh, Newport, and Parnell, furious, shallow, and bigotted, deny it. How else could half a nation so pertinaciously seek, and the other half refuse, an almost empty privilege? How else could it have happened that every concession has produced commotion, and complaint increased as the grievance disappeared? Twenty years ago, there was much to desire and to refuse, and the Catholic code was scarcely thought of: there now remains unconceded nothing in which the *people* are concerned, yet to the Catholic code are attributed all our misfortunes! The truth is, the parties have made the question, not the question the parties."

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to the safety, perhaps to the very existence, of the British empire, for Ireland is its vulnerable part. We may innocently tell the enemy so; he knows it already, and though Britain may be vulnerable in Ireland, wounds there would not be mortal. Whether emancipation is granted or refused, the Catholics, who have property, will certainly not join an invader; and they who are called the Wild Irish, (an appellation, which, to our shame, is but too appropriate) as certainly will. What care they about seats in parliament, offices in state, or, for all which could possibly fall to their share in this distribution of blessings, the privilege of giving a vote? We have invaded and conquered them, but we have conferred no benefits * upon them to atone for the evils of invasion and of conquest; after the lapse of six centuries, the remembrance of those evils is undiminished, the wounds themselves are, as it were, fresh and sore, and the desire of vengeance has continually been aggravated. With the tenacious memory of barbarous genealogists, they trace back their descent from the petty princes and lords of the country, and the possessions and the power of their forefathers are the impossible objects for which they are ever ready and eager to rise in rebellion. This hope, too, is strengthened by a more stinging desire. The history of their martyrs in the late troubles, is faithfully preserved among them; there is not a more powerful, nor deeper-rooted instinct in the human mind, than the appetite for just vengeance; and the vengeance for which they are longing appears to them with the character of justice, because they, equally with their opponents, remember the cruelties which they suffered, and forget the provocation which they gave. For the honour of human nature, let us hope that these cruelties may never be left upon record, lest the atrocities of the French revolution should be outdone, and Robespierre cease, upon comparison, to be an object of hatred and of horror! But these things are remembered among them, and will be remembered, till the good we do to this unhappy race shall outweigh and efface the evil which we have done. This good is not to be obtained by Catholic Emancipation. There is but one remedy for all moral and political evil, and that remedy is knowledge; is it to be produced by upholding and encouraging a church, of which the main principle is ever to keep its subjects in ignorance?

* "In seven years," says the anonymous author before quoted, "we have had four chief governors, and eight chief secretaries, of different principles and parties, each stifling the abortive system of his predecessor, by a system as abortive. In Abbott's active and indefatigable conduct and labour, not intending only, but attempting, putting months to more profit than others years, the Commons may have found their best speaker, but Ireland lost too soon her ablest minister. And Wickham, Nepean, Vansittart, Long, and Elliott, what in a few months could they attain of information, or accomplish of reform? With all their varied and various talents, they were impotent; and years have elapsed, and administrations reigned, without any change to Ireland but of years and administrations. Do we think either that local knowledge is unnecessary to an Irish minister, or that the king can confer it as he does a title? Wavering is weakness; weakness in Ireland wickedness. Leave with us, or send to us, ministers knowing us, whom we know; coolly planning, steadily executing; not a secretary with every season, and a system with every secretary."

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England, indeed, may contemplate the sister-country with sorrow, and painfullest shame, and deep humiliation, but not with fear. The time of danger is gone by. A French army, with the lying invitation of liberty upon their banners, would once have been joined by men, formidable for their talents, and virtues, and enthusiasm. Some of these have expiated their errors by death, others are living peaceably in America,—men to be blamed for these errors only, and fit to be the ornaments of any country, except their own. It was in these men that the strength of the united Irish lay; in Fitzgerald, and Tone, and Emmett, and the republicans; men no otherwise connected with France than as they, most erroneously and unhappily for themselves, considered France to be the upholder of all free and enlightened principles. In those days, too, the very means which were pursued to crush disaffection, would have ensured the success of Hoche, if he had accomplished his landing; for "oppression driveth wise men mad," and thousands, who would now bear arms in defence of the British government, would then have broken out in insurrection against the unendurable tyranny of martial law, and a system not less insolent and inhuman than that, which has entailed upon Alva the curses of all posterity. Those days are over, and the present leaders of the disaffected party have manifested their baseness, by becoming the wretched agents and flatterers of Buonaparte; danger, therefore, from them is at an end. An invading army would now be joined by the populace, not by the people; and long before the populace could be disciplined, or even tamed, so as not to be mischievous to their allies, any force which could be landed there would be outnumbered and subdued. It is our interest and our duty to conciliate the Irish; it is our wish also,—but not from any thought of fear: and were it otherwise, they who press upon us the necessity of this policy, by attempting to intimidate the government into concessions, argue* in a manner which neither tends to dispose a government to conciliate, nor a people to be conciliated.

It is not a little curious, that while part of the falling administration declared themselves hostile to Catholic Emancipation upon these grounds, some of the members of the new ministry were known to be friendly to the measure. Mr Canning had always avowed this opinion; but, like Mr Pitt, conceived it neither prudent nor constitutional to press the measure upon his Majesty, who would not be persuaded to understand the words of the coronation oath in any other meaning than that for which they had so carefully been framed. Lord Castlereagh too, who transacted the private bargains of the Union, was understood to have pledged himself to the Irish Catholics upon this subject. On the other hand, Lord Erskine, connected as he had always been with the Foxites, reasoned on this occasion with the Crown; and the same sentiments were held by Lord Sidmouth and his friends, who,

* This is what the Irish author calls "the madness or malice of parliamentary factions, brandishing Ireland against the minister, not the enemy. She complains not less of the neglect of administration, than of the notice of oppositions; their false friendship, their inflammatory pity, their hollow and hypocritical help."

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though the least powerful, were the most popular part of the discarded administration.

Elated with so unexpected a victory, the triumphant party committed a dangerous error in the division of the spoils, by conferring upon their new Chancellor of the Exchequer, the place of Chancellor of the Duchy of Lancaster, for life. The late administration had given away no places for life, which their enemies invidiously accounted for by observing, that some of their leading members were already pretty comfortably provided for in that way. But it was in fact part of that system of reform which they were slowly beginning. This practice, and that of granting offices in reversion, squandered the patronage of the crown, without in any degree increasing its power; when, therefore, the House of Lords rejected a bill for the prevention of the latter abuse, and Mr Perceval commenced his ministerial career by setting such an example of the former, they manifested a selfish disregard for the real interests of the crown, and offended the people in the most imprudent of all ways, by insulting their sense of propriety, and setting the public feeling at defiance. The new opposition opened their war upon this fair ground. The House of Commons was of their own making, and in making it they had exerted the influence of the treasury, beyond the usual bounds of discretion and decorum; their partizans therefore were numerous, and on this question they were joined by the independent members; so that the ministry suffered a defeat, and Mr Perceval accepted the sinecure chancellorship during the King's pleasure.

The debates which ensued were of a more disgraceful character than any which that House had ever before witnessed. The opposition were exasperated at their unexpected fall, and the success of rivals whom they despised; the ministry were provoked by the violence with which they were assailed; anger produced anger, abuse was answered by abuse, and accusation by recriminating charges. It reminded us of the first scene in the Alchemist; and good men began to fear what might be the effect upon the people of thus uncovering the nakedness of a government, whereof, from these mutual reproaches, the Duessa of Spenser seemed to be a prophetic personification. A new election gave the ministry a secure preponderance, but the temper of both parties remained the same.

There were two other parties in the House of Commons, each more important, from its influence with the people, than from its numbers, and each daily acquiring more strength in public opinion. That which is denominated the Saints, or the Evangelicals, was one. At the head of these was Mr Wilberforce, a man of great natural and acquired endowments, and deservedly eminent for having, during so many years, attempted, and at last accomplished, the abolition of the slave-trade. This alone would have given him a deeper hold in the hearts of his countrymen, than any of his contemporaries have acquired; but he derived also great influence from being considered as the head of the Calvinistic churchmen, and from the reverence with which he was regarded by the orthodox dissenters. The principle of this party was to assist the existing

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government; but they supported it only upon principle; no administration could command their votes, and more than once, when their votes and opinions have been of most weight, they have been given against the minister. A body of sectarians, already formidable by their numbers, and still more so by their admirable organization and indefatigable zeal, look to this party in the parliament, and take their opinions from them with implicit faith.

The other party were the Radical Reformers, parliamentary Ishmaelites, whose hands were against every man, and every man's hand against them. Their leader, Sir Francis Burdett, had for many years borne the brunt of political calumny; upon questions which involved no point of general principles, he now gave his support to the ministry, not because he liked them, but because, he said, there were no better to supply their place. Out of doors, this little party derived great strength from the acquisition of Lord Cochrane, a man whose genius and enterprising courage have given assured proofs that he wants only opportunity to supply the place of our great Nelson. I wrong him, perhaps, in classing him with any party; for though it is with the Reformers that he has usually voted, he has, with a right seamanlike and British feeling, disclaimed all party spirit, and justly reprobated it as the bane of the state.

The feeling which Sir Francis expressed, was that of the people in general. They rejoiced in the fall of the last ministry, but it was with the joy of a vindictive temper, not of hope; and they preferred their successors for no other reason than because they had supplanted men whom they so heartily disliked. As for talents, there was little to chuse between them. The old families, and those other leviathans of the land, whose influence overlays whole counties, were mostly with the opposition; hence the new ministry held their seats too much by personal favour, and were more literally the king's servants, than was consistent with the spirit of the constitution; the people rather assenting to his choice, than approving it, and certainly not having guided it. The country, indeed, was in a new situation. While Pitt and Fox were living, every man believed either in one or in the other; one party was perfectly satisfied that all the measures of their heaven-born minister must be right, and the other as confidently expected, that, in spite of the ruinous consequences of the first wanton war against France, the nation was to be saved as soon as their political redeemer came into power. From this comfortable state, wherein faith supplied the place of reason, they were disturbed by the death of both these leaders, neither of whom left a successor. It became the general complaint, that there was no man, or set of men, in whom the nation had any confidence; some persons apprehended from this a dangerous indifference in the public towards parliament itself; others hoped, that, as the people were weary of factious debates, the parliament would become ashamed of them, and that measures would be discussed with a view to the common weal, and no longer solely with reference to the party by whom they were brought forward.

With the state under these strange

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circumstances, a national debt * of L. 626,000,000, and an annual † expenditure of L. 72,000,000, England was engaged in war against a military power more formidable than any of either ancient or modern times.

* Funded Debt	L. 585,959,932	18	1¼
Unfunded	41,987,113	9	11
† Gross Revenue	80,062,607	18	3¼
Net Produce	75,446,626	11	6
Payments into Exchequer	72,945,684	0	9¾

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CHAP. II.

Mediation offered by Austria, and its failure—New system of warfare adopted by Buonaparte—His Commercial Edicts, and our Orders in Council—Dispute with America—Effect produced in England—The Peace Party—The Anti-Commercialists—Misconduct of the War.

The new year began with an offer on the part of Austria to become the mediator of a general peace. A similar offer had been made in the spring of the preceding year, the Emperor of Austria then equally inviting the cabinets of Petersburgh, of Berlin, and of the Thuilleries, to adopt the same conciliatory views; and, in order to facilitate the opening of negociations, proposing that they should be held at any place in his dominions, the situation of which might be convenient for all parties, and not too near the seat of war.

1807. *April* 18.

The offer was accepted by our court, provided it should also be accepted by all the other belligerent powers; with respect to the place, it was added, his Majesty would not object to any which was sufficiently remote from the immediate influence of the events of the war, and which would afford to the British government, in an equal degree with all the other powers concerned, the opportunity of a prompt and uninterrupted communication with its plenipotentiaries. Seven months elapsed, and nothing farther was heard concerning this mediation. Prince de Starhemberg, the Austrian Envoy Extraordinary, then transmitted another note to the secretary of state for foreign affairs, stating, that he had received positive orders from his court, to make the most earnest representations of the importance of putting an end to the struggle which still existed between England and France, the effects of which might produce to all Europe the most fatal consequences. The Emperor, therefore, officially and earnestly requested a formal assurance from the British government of its readiness to enter into a negociation for a maritime peace. This language was evidently dictated by France, and Mr Canning, after expressing some surprise that the court of Vienna should apply for a renewed declaration of sentiments, whereof it had been so long and so formally in possession, repeated, nevertheless, that his Majesty was now, as he had at all times been, prepared to enter into negociation for the conclusion of such a peace as should be consistent with fidelity to his allies, and should provide for the tranquillity and security of Europe.

April 25.

Nov. 20.

1807. *Nov.* 28.

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1808. *Jan.* 1. On the first of January, Prince de Starhemberg transmitted another note. He was charged, he said, obeying the orders of his court in conforming to the desires of that of the Thuilleries, to propose to the English ministry that they should immediately send plenipotentiaries to Paris, for the purpose of treating for the establishment of peace between all the powers at present at war with England. And he added, that, to avoid every species of delay, he was authorized by France to give passports to the ministers who might be appointed. The reply was becoming the spirit and dignity of *Jan.* 8. the British nation. It noticed, what could not but be perceived, that the Prince de Starhemberg, when proposing that plenipotentiaries should be sent to Paris, had omitted to explain from whom he had received that commission, whether from his imperial master, or from the government of France; if from the former, his Majesty was concerned that, in framing this proposal, so little reference should have been had to the correspondence which had already taken place between the courts of London and Vienna. So long ago as in April, the offer of mediation had been accepted, yet now the same offer was repeated, without any notification of the acceptance of those conditions which were then stated by his Majesty to be indispensable preliminaries to a negociation; and the present proposal extended only to the powers combined with France in the war against Great Britain, and not to the allies of Great Britain in the war with France. If, on the other hand, the Prince de Starhemberg were acting not otherwise from his own court than as being authorized to receive and convey whatever communications the government of France might think fit to entrust to him, the statement of some precise authority, and the production of some specific and authenticated documents, were then necessary. The previous settlement of a basis of negociation, (as had indeed been suggested by the Emperor of Austria in his first offer) was indispensable, the experience of the last attempt at treating with France having placed that question beyond controversy; but, upon this subject, no intimation was now given. His Majesty was willing to treat with France, but it must be on a footing of perfect equality; he was ready to treat with the allies of France, but the negociation must equally embrace the interests of the allies of Great Britain: as soon as the basis was settled, he would be prepared to name plenipotentiaries, but he would not again consent to send them to a hostile capital. This frank and unequivocal exposition of his Majesty's sentiments, was made to the minister of the Emperor of Austria, but no authority was given to the Prince de Starhemberg to speak in the name of England to the government of France. Four days after *Jan.* 12. the date of this answer, the Prince de Starhemberg demanded his passport. *

This prelude to a declaration of war on the part of Austria, scarcely in the slightest degree excited the public attention. Sorrow and indignation had been felt at the conduct of the Emperor Alexander; indignation at the baseness with which he had become a sharer in the spoils of

* Appendix, No. 1. (Austrian State Papers.)

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Prussia; sorrow, that one whose natural disposition had discovered such rectitude of feeling, should have been deluded into measures so prejudicial to the interests of his country, and so fatal to his own reputation. When, therefore, he issued his hostile manifesto, these feelings were expressed in the best state paper that has proceeded from the court during the present war; the futility of its alledged grievances was exposed, its insolence repelled, and the rights and principles of Great Britain calmly and resolutely * asserted. The whole tone and temper of this declaration was what it should be; its conclusion might have occasioned some serious thought, and melancholy reflection, in the great autocrat, had he been less overawed by the reputation, and less completely duped by the artifices, of his new ally. "Whenever," it said, "the opportunity for peace between Great Britain and Russia shall arrive, his majesty will embrace it with eagerness. The arrangements of such a negociation will not be difficult or complicated. His majesty, as he has nothing to concede, so he has nothing to require; satisfied if Russia shall manifest a disposition to return to her ancient feelings of friendship towards Great Britain; to a just consideration of her own true interests, and to a sense of her own dignity as an independent nation."—These were the feelings of the nation, as well as the government; but, when Prussia declared against England, and Austria also prepared to join the same confederacy, the only sentiment which prevailed was pity for the abject state of subjection to which these courts were reduced, and the wretched thraldom which their mutual jealousy, and mutual misconduct, had brought upon Germany.

Russia possessed a navy, and it was doubtless a part of Buonaparte's plan to bring against us the whole maritime force of the north; but the expedition against Copenhagen frustrated this, while it robbed our sailors of a triumph in which all English hearts might have united. Prussia and Austria were inland states; their power to annoy us was as little as their inclination. But the barbarian, who, far more by the misconduct and fatuity of his opponents, than by his own ability, had now become the master of the continent, was waging a new species of warfare against England. During the last war, the flourishing state of trade was the constant boast of ministers; and the books of the custom-house were referred to as proofs of national prosperity, from which there could be no appeal. This wretched folly imposed upon the people, and it imposed upon the enemy also; nor is it to be wondered at, if, while the English confounded the wealth of nations with their welfare, Buonaparte should mistake it for their strength. He called us a nation of shopkeepers; and, reasoning as if we were so, concluded, that by ruining our trade, he must ruin us. Upon this avowed principle, he prohibited all trading in English merchandize, ordered every article of merchandize belonging to England, or coming from her colonies, or of her manufacture, to be seized as lawful prize, and declared the British islands in a state of blockade. † This latter part of the decree

* Appendix, No. II. (Russian Declaration, and Declaration against Russia.)
† Appendix, No. III. (Series of French Decrees against British Goods.)

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was marked in all our newspapers with a note of contemptuous admiration; and no person perused it without a smile of surprise, and a triumphant sense of security, Lords as we are, and will be of the ocean. The tyrannical clauses affected others more materially than us; it remained to be seen whether America, the only nation which could properly be called neutral, would remonstrate against a measure so injurious to her trade. But, in the government of America, there was a manifest disposition to crouch at the feet of France. After, therefore, it had been intimated to the neutral powers in vain, that, if they submitted to have their ships confiscated in France, when bound to, or sailing from, an English port, we should seize and confiscate all ships and cargoes bound to or from France, the threat was

1807. followed by an order in

Nov. 11. council, * enacting, that all neutral ships, with neutral goods on board, bound for France, or any of the countries under her controul, should come into an English port, and there pay duty to the English custom-house, so that no goods should enter France but such as we had previously taxed. This decree exasperated Buonaparte,

Dec. 17. and he immediately issued an edict at Milan, † declaring, that every neutral which submitted to be searched by an English ship, or paid any duty whatsoever to the English government, should be considered as thereby denationalized, as having forfeited the protection of its own government, and become English property; and, in consequence, liable to be seized as lawful prize by French ships of war: and he declared the British islands in a state of blockade, both by land and sea; his passion not pausing to consider, whether such a land-blockade were intelligible. Our orders in council were in fact seized upon as a pretext for new-wording and colouring a previous commercial decree issued at Milan a few 1807.

days after them, ‡ but be- *Nov.* 23.

fore they could be known. For this previous decree enacted, that "all vessels which, after having touched at England, from any nation whatsoever, shall enter the ports of France, shall be seized and confiscated, as well as their cargoes, without exception or distinction of commodities or merchandize." The orders in council, therefore, were now represented as the provocation and reason for enacting what had been before enacted.

Under these circumstances, America appeared to have only a choice of evils, to join with one of the hostile powers, to arm her vessels against both for defensive war, or to submit to both, and carry on her trade with England. But the President, and the populace of America, were alike under the influence of hostile feelings towards England. The first state papers of Mr Jefferson were so strikingly contrasted with all which it has been our fortune to see promulgated in Europe, that the feeling of delight which they occasioned in the heart of an Englishman was more than counterbalanced by a sense of humiliation which he could not fail to experience. They spake of plans for national improvement, of expence curtailed, and taxes remitted to the people; and they indicated a spirit of hope not less philosophical than generous, which promised to hasten

* Appendix, No. IV. (Orders in Council.)
† Appendix, No. V. ‡ Appendix, No. V.

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the happier ages that it anticipated. But, when trying times came on, and the President was weighed in the balance, he was found wanting. The enmity towards this country, which, as an American, it became him to feel during that unhappy war, of which the termination was to us the least disgraceful part, he continued to feel, long after it behoved him, both as an American and a statesman, to have returned to more natural sentiments. The war against the French Republic undoubtedly contributed to this; something too has been ascribed with great likelihood to wounded vanity. Mr Jefferson had been received with flattering distinction at Paris; in London, he was entertained more according to our usual manners than his real merit deserved, or than the commonest policy would have dictated. Whatever were the cause, it was manifest, that, while he regarded France with fear, or, more probably, with favour, he discovered, on all occasions, a jealous temper towards England; as if it were possible that all natural ties between us could be dissolved while we speak one language, and as if England were not now the only earthly bulwark of liberty, and of all that should be dear to man.

The temper of the American people corresponded but too well with that of their President. That identity of language, which, in better times, it is to be hoped, will bring back the two nations to a family feeling towards each other, gave occasion, in the present troubled state of things, to mutual provocations. Our seamen frequently deserted to them, and their sailors were sometimes * impressed on suspicion of being Englishmen. On both sides there was just cause of complaint. We endured most injury, but they received most insult; and it is less dangerous

* It is in vain for a man seized under such circumstances, to protest that he is an American, and offer to produce proof of it whenever he can appeal to his consul; effectual care may be taken to prevent this, by always keeping him on board. Sometimes such a man is sulky,—in other words, resolute, and refuses to work: he is then flogged. The captain, finding he can make nothing of him, discharges him, upon nearing an English port, into the ship of an acquaintance, with a bad character, and recommends sound flogging. The second captain refuses to listen to any thing the poor fellow can plead, silencing all his remonstrances by saying, "I got you from an English man of war, and am not bound to take your word for your country. But, while you are in this ship, by G—, you shall do your duty; get out of her how you can." This reasoning is enforced by two or three dozen lashes; and the same game is played over again when the ship goes into port, by discharging him into another, and keeping him as long as possible out at sea; for an American cannot long be mistaken for any thing else, and no affidavits are necessary to prove him not an Englishman. This is not an imaginary case, neither is it a single instance. Even the most certain, indisputable, and legal proofs are of no avail, if the captain does not think proper to admit them;—letters from his wife, from his father, the clergyman of his native place, with certificates of his baptism and marriage. The admiralty does not hesitate a moment to admit them, and order the man's release; but, till he can make his case known to the admiralty, he is thus tyrannically detained. What must be the effect when the man escapes to his own country, upon his townsmen, his family, his kinsmen, all who hear his story!—There is but little philosophy in the old exclamation, *Fiat justitia, ruat mundus*: it is by committing injustice that the world is endangered.

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to injure than to insult. The right which we exercise of searching their merchant ships would give little offence, were it exercised * courteously; the manner of performing it might take away the invidiousness of the act; but unhappily, on our part, there was too often an aggravating insolence displayed, which exasperated not merely those to whom it was offerred, but all to whom they repeated their grievances in America; and they, on the other hand, repeatedly roused the indignation of the most forbearing officers, by the impudence with which they produced legal certificates † of citizenship for men, who were recognized by their former commanders, or convicted by their *shibboleths* beyond all subterfuge.—But the Americans were not contented with receiving fugitives; they invited men to desert. It was proposed in one of their newspapers, to offer bounties to all who would make their escape from "that little hell, called a British man of war, and seek, in the land of liberty, that asylum which was offered by a free and benevolent people. By such means, it was added, the spirit of emancipation will be encouraged; the tidings will fly like lightning, from ship to ship, and our foe will be deprived of the means of annoyance." And the incendiary introduced this proposal, by saying, "in this day's paper, the patriot will read with pleasure, that the spirit of desertion from the British fleet prevails to a degree which threatens their service with destruction." Things could not remain long in this state. Some of our seamen entered on board the American frigate, the Chesapeak, and were paraded with flags and music about the streets of New York, as if in defiance of their officers. The fact of their having entered on board this frigate being notorious, Admiral Berkeley, who commanded on the station, demanded them, and the Americans refused to deliver them up. The Chesapeak put to sea, and an English frigate was sent after her. The men were again demanded, and refused; upon which the English captain fired into her, made her strike her flag, and took out the deserters by force.

On a former occasion, when the Leander, in firing at some vessels to make them bring to, had accidentally killed an American, the indignation of the people was unbounded: every artifice was employed by the French party to keep it at its height; a public funeral was made for the unfortunate man, a verdict of wilful murder brought in against the captain of the Leander, and orders is-

* The Americans generally record the treatment they receive, as well as the visit, in their log-books.

† Here is a case in point. "The other day (says a naval officer, in a letter which the author has received while this sheet was in the press), I impressed a sailor out of an American brig from Rochelle, with a regular protection, down in the articles, and every thing fair. He had not his story quite by heart; his person belied him, and his manners were disguised. I was convinced he was an Englishman, and took him. In the boat, going on board, he confessed he was so; and that the master got his protection by making the necessary affidavits; and he said he could find the brigs French colours and papers, for he had stowed them away. He did so, and we have sent her into Plymouth. If we have not paid proper respect to the American protections, they are to blame as well as we: *they do sell them, and must take the consequence of our certain knowledge of the fact.*"

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sued to proceed against him upon this charge whenever he could be taken. But, in the present case, the Americans, sensible that they had a stronger ground of complaint, conducted themselves more temperately, and the President published a* proclamation, commanding all British ships of war to depart from the harbours of the United States, and interdicting the entrance of their ports to the British navy. A fit proviso was added, excepting from the decree, all packet-ships with dispatches, and vessels forced in by distress, or weather, or pursued by an enemy. But the edict, in other respects sufficiently moderate for the occasion, falsely asserted, that the seamen in question had been ascertained to be citizens of the United States. The congress, in a subsequent † report, prudently waived this point, saying, that whether the men so taken were or were not American subjects, the character of the act of taking them remained the same.

The British government disclaimed the act of its admiral, and explicitly disavowed the right of searching ships of war. But it was the practice of searching merchant ships which galled the Americans; accustomed, during the last war, to enjoy the whole carrying trade of Europe, and being now deprived of it, they forgot, in their vexation, that France had begun this system of restrictions, and their whole resentment was directed against England. Under this feeling, they co-operated with Buonaparte in his plan of commercial warfare: ‡ A Non-importation Act, prohibiting many articles of English manufacture, was past in 1806, to see if it would have the effect of intimidating us. It was at various times suspended; but when Buonaparte, and his besotted ally, the Emperor of Russia, had, as far as edicts could do it, closed the ports of Europe against us, then this act was brought forward to be enforced. The tyrannous conduct of France at length extended to America itself; and finding themselves, by the edicts of Milan, and the orders in council, reduced to a choice of difficulties, they adopted the strange expedient of suspending their own commerce entirely, by laying an embargo upon all exports. § In these measures of the American government, there was a semblance of neutrality towards the two contending powers; but, virtually, it was co-operating with France, in the plan of destroying the commerce of Great Britain. Buonaparte was now enabled to give this political experiment a full trial; he had sent an army into Portugal, who drove out the reigning family to their possessions in America, and shut the ports of that kingdom against us. The king of Prussia,‖ in a melancholy declaration, prohibited all intercourse between us and his states; and the king of Spain, ¶ so long the tool, and soon to be the victim of the Corsican villain, added one more proof of blind obsequiousness to this treacherous ally, by adopting, in all his dominions, the measures which had been enacted

* Appendix, No. VI. (American Proclamation of July 2, 1807.)
† Appendix, No. VII. (American Report of Congress, Nov. 17, 1807.)
‡ Appendix, No. VIII. (Non-importation Act and Supplement.)
§ Appendix, No. IX. (American Embargo.)
‖ Appendix, No. X. (Prussian Declaration.)
¶ Appendix, No. XI. (Spanish Decree of Jan. 3.)

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by France. Thus then, with the single exception of Sweden, was the whole continent of Europe closed against British goods, and our whole import trade from America suddenly suspended.

A circular letter, addressed by the minister of the interior to the chamber of commerce, was annexed in the Moniteur, (the official journal of the French government) to the last Milan decree; and there, amidst much angry declamation against England, the effect which our orders in council must produce in France was confessed. One might have imagined, said M. Cretet, that every obstruction and restraint which clogged the course of commerce, on the continent, had been exhausted; but this new mode of oppression—these last acts of the British government, are the last stage of the oppression of the commerce of the world. We must not shut our eyes to the consequences: importation and exportation, already so much restricted, will soon be much more so: every thing connected with maritime commerce, every thing that depends upon it, will now be liable to more difficulties, and more uncertainty. The consolations which were held out, were a hope that many neutrals would elude the English cruisers; and the plunder which their privateers would obtain, by attacking every ship that, in French language, renounced the independence of its national flag, by navigating under a British licence. French commerce, it was said, will not devote itself uselessly to that sort of warfare which never lets courage, dexterity, and decision go unrewarded. Substitutes also were to be sought for those articles of which France would now, in a great measure, be deprived. Cotton, it was said, would come from the Levant; and, at a more distant period, that what they produced themselves (for it had been, not unsuccessfully, attempted to cultivate it,) would assist in supporting their manufactures; but, mean time, it would be necessary to have recourse, as far as possible, to hemp and flax; and it was desirable that the French people should circumscribe their consumption within the products of home-grown materials, and restrain the unhappy effects of habits and taste contracted for manufactures, that would render them dependent upon foreign commerce. Materials for dying would become scarce; colours, therefore, which had no other advantage, than their apparent greater beauty, would be dispensed with. Sugar and coffee could not be procured in quantities adequate to the demand for them; but these were objects of secondary utility, the great mass of the people would not suffer by the privation; and habits of indulgence, too widely extended, would be counteracted and restrained by the rise in the price.—M. Cretet concluded, by saying, that "the commerce of Europe would soon, beyond a doubt, be rescued from oppression. The interest of nations, the honour of sovereigns, the magnanimous resolutions of the most powerful of the allies of France; the power and the will of the hero who rules over us; the justice of a cause to which heaven will grant its protection; every motive concurs to decide the contest, nor can its issue remain uncertain."

The power and the will of Buonaparte had, indeed, occasioned this state of things; his will might have terminated it, but his power could not; and whether the people of France, and of the conquered and allied countries, believed in M. Cretet's predictions of a speedy termination or not,

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they had no alternative, being compelled to suffer and be silent. In England, the immediate inconvenience which was felt occasioned a partial cry for peace, begun by some of those manufacturers whose trade was at a stand, and supported by others, whose views were less selfish, though not more enlightened. Among these were a considerable part of those persons, who term themselves the religious public; pious and conscientious men, but inconsistent; for, while they admit that the principle of war must be allowed in just cases, they, at all times, and in all cases, cry out against the practice, setting their compassionate feelings in array against the manlier virtues. A superstition * concerning Buonaparte mingled itself with this womanish sensibility; they who had not lost sight of his enormities, doubted whether he were the Beast † or Antichrist; others, whom he had in some degree conciliated, by his various aggressions upon the papal power, forgave him all his crimes, because the whore of Babylon happened to be among those whom he had plundered; they rather imagined him to be the man upon the white horse; in this, however, they were all agreed, that Providence had appointed him for some great purpose, and it was an easy conclusion for those whose weak heads and warm imaginations looked no farther, that it must be unavailing, if not impious, to oppose him.

This was a pitiable delusion; but more extraordinary was the weakness of those who, having originally been the friends of France, when they imagined that the cause of liberty was implicated in her success, looked with complacency now upon the progress which oppression was making in the world, because France was the oppressor! They had turned their faces toward the east in the morning to worship the rising sun, and now that it was evening, they were looking eastward still, obstinately affirming, that still the sun was there. Meetings were convoked by the manufacturers to petition for peace, because their trade was injured by the war; and this selfish purpose was disinterestedly assisted by the admirers of Buonaparte, and the apocalypse-politicians. The good sense of the people frustrated these attempts; few petitions could be carried, and those only in places where a number of workmen had been thrown out of employ. The members of opposition themselves, though ready to concede more than was consistent with the honour or safety of the country, discouraged this mode of proceeding, which so obviously seconded the views of the enemy.

The most conspicuous advocate for peace at this inauspicious season was Mr Roscoe, a man not to be mentioned without respect, even when his errors are noticed. He endeavoured to shew, that we had no reasonable grounds for being at war, and that ministers were insincere in professing themselves ready to make peace upon fair terms, because fair terms were always to be had. But as for the ground of the war, it was plainly stated by Mr Addington, when he said, "we are at war because we

* This was not a little increased by the form of prayer for some of our fast days, in which he was represented like Gog and Magog; and the poor women and children were made to call upon the Lord, lest this new Raw-head and Bloody-bones "should swallow them up quick!"

† The number of the Beast has been found in his name, by writing it in Greek, with the trifling *prophetical licence* of making his baptismal name Napoleon.

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cannot be at peace." This was the general feeling of the people of England, and it was this deep and well-founded conviction which occasioned that acclamation of joy at Lloyd's, when the commencement of hostilities was made known. That peace was desirable no man doubted, if any thing more than the name of peace could be obtained; but the experiment was tried for eighteen months, and, during the whole of that armed truce, the enemy was steadily pursuing his plans of usurpation upon the continent; collecting, by means of his commercial commissioners, information how best to attempt the invasion of these islands, and preparing a navy which would enable him to effect it. Unquestionably it was his sincere desire to make just such a peace with us again; and we might well believe him when he said so.—"We want to be at peace," is the language of his officers, who have been taken prisoners: "we want peace for six years; that will be time enough for us to build a navy which shall outnumber yours, and to train up sailors for it, and then we will come over and conquer you." This language has been held, and it is too sensible to leave any doubt of its sincerity upon a mind not closed against all argument. With all the coast of Europe at his command, it is in Buonaparte's power to build ships, outnumbering ours, in the proportion of ten to one, or twenty to one, if they were thought needful. He may build them at any time, but it is only in peace that he can man them; and it is for this object, and this only, that he is desirous of peace.* Peace would give him the power of invading us; and is there any man foolish enough, or hardy enough, to affirm, that he wants the will to do it?

It was thus that those persons argued who differed in opinion from Mr Roscoe, and they were the great majority of the people of England. In fact, his whole reasonings resolved themselves into this proposition, that the personal character of Buonaparte had nothing to do with the propriety of making peace with him, for that the government of France, like other governments, would observe treaties just so long as they were convenient to its interests, and no longer. But France had no other rule of government than the will and pleasure of its lord and master; every thing, therefore, depends upon his personal character; and that character, even

* There is plain sound sense in what Cobbett says of the terms upon which peace might reasonably be made. "Napoleon," he says, "has the land, and we have the sea. If he would restore Holland, Denmark, Portugal, Spain and Naples, to a real independence, then we might agree to relax in the exercise of our maritime power; but if he be inflexible as to the preserving of his controul over the states upon the coast of the continent, we should be inflexible in our resolution so to exercise our power, in peace, as to prevent the resources of those states from being turned against us at the renewal of a war. I do not pretend to lay down what ought to be the precise conditions of a treaty with him; but it appears to me, that, as long as he holds controul over the states above-mentioned, we should never suffer any ship of war, of those states, to sail upon the sea; and further, that we should make it ground of war, if, in any of those states, ships of war were known to be erecting. I know I shall be told, that, to insist upon terms like these, would be to say, that we will not have peace; but my answer is, that terms like these we must have, or we have only this choice left, go to war again in a year, or be conquered; and go to war too in a much worse relative situation than we now are."—*Political Register, Jan.* 16, 1808.

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though its last and consummating act of villainy, the usurpation of Spain, had not then been perpetrated, was already more atrocious than that of any chieftain who had ever before ruled over a civilized people. On this ground we should take our stand, and openly proclaim to France, and to all Europe, that England never will, on any terms, make peace with Napoleon Buonaparte. It cannot be done with honour, it cannot be done with safety. What would be said of the merchant who should hazard his whole property in engagements with a man notoriously dishonest, but that he deserved the ruin that would befal him? Switzerland, Prussia, and Tuscany, have shown what are the consequences of French friendship. Looking at the question, with reference to our national honour, (and in this point we ought always to behold it,) the argument against treating with Napoleon Buonaparte becomes yet more forcible. The private, personal murders which he has committed, stamp him with a peculiar and individual guilt, which distinguishes him from the other scourges of mankind, whose pleasure, like his, has been in conquest. That of the Duc d'Enghein, it belonged to the Bourbons, to Germany, and Russia, to avenge. For Pichegru and Villeneuve, it was the business of France to take vengeance. But the murder of Palm was an offence committed against all states and people, against all principles of law and justice and social order; it was an act by which he outlawed himself in human society, and, from the hour in which it was committed, he was under the ban of human nature. There is also one crime committed peculiarly against England, which should for ever preclude the possibility of treating with its perpetrator; the murder of captain Wright, an English officer, put to death in prison. That captain Wright was murdered, no inquest or jury of Englishmen would hesitate to pronounce, from the * evidence before them, furnished, as it is, wholly by his murderers. For the sake of the living, as well as the dead, it behoved us to take cognizance of this foul deed; and any minister who should have advised his majesty never to enter into any treaty with the tyrant who committed it, would have received the support of the whole British people. Well had it been for us, if, from the beginning of this war, we had at all times studiously distinguished between the French nation and its ru-

* The account in the Moniteur was, that he killed himself upon hearing that the English fleet had been defeated by the French, and Lord Nelson slain. We in England know, that no Englishman could have believed this defeat, and that an English sailor would know it to be impossible. Buonaparte had two motives for destroying Captain Wright; personal hatred for what that officer had done against him at Acre, and a suspicion that he was connected with the royalist party. The most probable account of his fate is, that he was put to the torture to force from him a confession of these secrets, and then dispatched, that it might never be known he had been tortured. The story which the French published was palpably and ridiculously false; but it proves that he died a violent death, and that the manner of that death was studiously concealed. Buonaparte has found it more easy to perpetrate murders of this kind than to conceal them:—In the official account of Pichegru's death, that general was described as having committed suicide in a manner by which it was physically impossible that any man could have killed himself.

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ler; stating to France, and to Europe, our readiness to treat with the former under any other head, and our solemn resolution never to negociate with Buonaparte, because it was abundantly proved, that no trust could be placed upon a man who sets all laws human and divine at defiance, and from whom his friends and allies are in as much danger as his enemies. The people at large knew this to be the case; and when they heard of mediations and negociations, their only fear was, that we might be duped again into a treacherous truce; provided, therefore, the pacific overtures of the enemy were rejected, they cared not what formality was made the plea. The manliest way of answering such overtures would have been the best; but an English ministry has to consider, not merely what measures are best in themselves, but what are most defensible against their domestic enemy, the opposition; and the constitution of our cabinet, whatever may be its advantages, is little favourable to a vigorous and decided system of policy.

Among those who considered the question of war and peace, with reference only to the mere meaning of words, blind equally to the consequences of the one, and the causes of the other, Mr Roscoe's pamphlets were eagerly received, and the authority of so excellent and celebrated a man was triumphantly quoted in support of their opinion. But these pamphlets produced no other effect; they persuaded no person; no talents could give even the appearance of strength to a cause so feeble. There was, however, another ground taken by the peace-party: they maintained, that it would soon be impossible to carry on the war; that our revenue depended upon our commerce, and that commerce being interdicted as it was by the decrees of Buonaparte, and our own orders in council, the very means of war must fail us. This had a startling sound to those who did not know, that, of the eighty millions collected from the public in the preceding year, the proportion yielded by the customs was less than a sixth part. But if it is easy to persuade the people of England that the country is ruined, they are still more easily persuaded to believe that it is prosperous. Ten years ago, the flourishing state of commerce was the triumphant answer to all who predicted evil from the former war; now, a book was published to shew, that our riches, prosperity, and power, are derived from sources inherent in ourselves, and would not be affected even though our commerce were annihilated; and this doctrine, in its turn, was eagerly received. Mr Spence, the author of the work in question, adopting the principles of the French economists, brought them forward at a time when it suited the comfort of the English to believe them; and his arguments were repeated and enforced by Cobbett, the most popular of our political journalists, who, having been the foremost and loudest bloodhound in the anti-jacobin pack, had now turned with the same rabid ferocity against the very persons whose hands he had formerly licked, and who had hallooed him on. This demagogue, who, treating all subjects with the same confidence, whether he understands them or not, dashes forward, right or wrong, seldom failing, even when most erroneous, to exhibit proofs of a vigorous and fearless mind, eagerly em-

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braced the doctrine of the Economists, because it was convenient for his immediate purpose, and agreed with his rooted and rancorous hatred of America. These principles were thus made a common topic of discourse, and they met with no inconsiderable success, because they were far more reasonable than the proposition, that our strength, and power, and safety, were built upon such a foundation of sand. There were also many persons who considered a timely check to the manufacturing system, as salutary to the state, because that system was poisoning the health and morals, and wasting the population of the country.

But if there was no cause of fear in pursuing this inevitable and interminable war, the manner in which it was pursued was such as to preclude all hope. Every administration, this like the last, and the last like that before it, all alike treading the same sheep-track of fatuity, proceeded without system; setting sail before the wind from whichever quarter it chanced to blow, they steered a driftless course, being directed by circumstances instead of directing them. The same tardiness, the same indecision,* the same half-measures, the same waste of men and money in nugatory expeditions, characterized them all. That they should not have made the wisdom of past ages their own, mournful as it is, is not to be wondered at, so little is this attempted in our routine of education, and so little leisure is left for it in the fatigues of political warfare. But even from the history of their own times they derived no instruction. Experience seemed to avail them nothing. At the end of fifteen years, years so pregnant with momentous events, England was carrying on the war, with a better cause indeed (for which God be praised) than at the beginning, but still upon the same short-sighted views, or rather with no other views than such as the chance and changes of the hour presented. While we were acting in alliance with the continental powers, our co-operation with them, so far as we co-operated at all, was necessarily guided by their wishes; the mighty strength which we possess in armies and navies was never put forth; and the still mightier force of principle, which, as a free people, we are entitled to exert, never could be brought into action in such co-operation. We were now left to ourselves, not merely with undiminished power, but with power which had grown to the measure of the occasion; never more equal to the enemy than when we felt and acknowledged him to be mightiest, looking steadily at the danger, and knowing our ability to meet it. Yet now, when it became us everywhere to appear, as in reality we were, the only supporters of morals, intellect, and freedom, against the barbarian who aims at the destruction of all, we were still consulting the pleasure of corrupt courts, in opposition to the wishes and the welfare of their subjects; and to the detriment of our own honour as well as interest, still squandering our resources in idle attempts at propping up old governments, whose hour

* The capture of Copenhagen is not an exception; for, if it were justifiable to do so much, it was folly not to do more. Having provoked them, common sense required that we should, as far as possible, have deprived them of all means of annoying us.

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must come, and which have already cumbered the earth too long. Our path of policy should have been plain. The struggle between the old and new despotisms had been long and obstinate; that struggle was now decided; and its event had proved that the Corsican was not to be overthrown by corrupt courts and effete dynasties. Nothing but the force of good principles, loudly proclaimed and steadily pursued, will successfully oppose a power so gigantic, founded upon evil, supported by evil, and steadily and strenuously pursuing evil as its only good. The continent was, indeed, his for the present. But the seas are ours, and so should the islands be; it is our business to regenerate Sicily and the Grecian isles, establishing every where such free constitutions, as are suitable to the habits and wishes of the† people. Wherever we went, liberty and righteous laws should go with us; commerce and prosperity would follow in their train. The example would reach the continent; the flame would spread through Greece, Italy, Switzerland, Germany; so would the war become, what it is our fault and folly that we have not, long ere this, reduced it to, a struggle between the principles of good and evil; and God would be with us, manifesting himself in the heart of man.

† See the able though ill-digested survey of Mr Leckie. His arguments in behalf of this system are unanswerable. Concerning Sicily, Italy, and the Levant, this author is thoroughly well informed; but he goes beyond his latitude in touching at Chiloe.

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CHAP. III.

Meeting of Parliament.—Debates upon the King's Speech, and upon the Expedition to Copenhagen.

On the twenty-first of January parliament was opened by commission, and the king's speech read. In this it was stated, that no sooner had the negociations at Tilsit confirmed the influence and controul of France over the powers of the continent, than his majesty was apprized of the enemy's intention to combine those powers in one general confederacy against Great Britain; that, for this purpose, states, which had hitherto been allowed to maintain or purchase their neutrality, were to be forced into hostility against us, and the whole naval force of Europe, the fleets of Portugal and Denmark in particular, brought to act against different points of these dominions. To place those fleets out of the power of such a confederacy, became, therefore, the indispensable duty of the king. In the execution of this duty it was with the deepest reluctance that he found himself compelled, after his earnest endeavours to open a negociation with the Danish government had failed, to resort to the extremity of force. But he had the greatest satisfaction in congratulating his parliament upon the success of this painful though necessary service. The course pursued towards Portugal was happily of a nature more congenial to his feelings. The timely and unreserved communication by the court of Lisbon of the demands and designs of France, confirmed the truth of the advices which were received from other quarters. The fleet of Portugal was rescued from France, and was then employed in conveying to its American dominions the hopes and fortunes of the Portugueze monarchy. His majesty implored the protection of Divine Providence upon that enterprise, rejoicing in the preservation of a power so long the friend and ally of Great Britain, and in the prospect of its establishment in the new world, with augmented strength and splendour. The speech proceeded to state the hostile measures which had been taken by our late allies the Emperors of Russia and Austria, and the King of Prussia, measures for which a statement of imaginary wrongs and grievances had been made the plea by the former power, but for which the two latter had alleged no pretence of justification whatsoever, nor even assigned any distinct cause. That our attempts to make peace with Turkey had been frustrated. That the King of Sweden remained firm to his alliance; his majesty, therefore, entertained no doubt, that his parliament would feel with him, the sacredness of the duty imposed upon him, by the firmness and fidelity of this ally, and would

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concur in enabling him to discharge it in a manner worthy of the country. That the treaty of amity, commerce, and navigation with the United States of America, which was concluded and signed by commissioners, duly authorized for that purpose, on the last day of the year 1806, had not taken effect, in consequence of the refusal of the president to ratify that instrument. That, for an unauthorized act of force committed against an American ship of war, he did not hesitate to offer immediate and spontaneous reparation; but an attempt had been made by the American government to connect with the question which had arisen out of that circumstance, pretensions inconsistent with the maritime rights of Great Britain; and such pretensions he was determined never to admit. Nevertheless, he hoped that the American government would be actuated by the same desire to preserve the relations of peace and friendship between the two countries, which had ever influenced his conduct, and that any difficulties in the discussion then depending might be effectually removed. It stated, farther, that, in consequence of the decree by which France declared the whole of his majesty's dominions to be in a state of blockade, and subjected to seizure and confiscation the produce and manufactures of his kingdom, he had resorted, in the first instance, to a measure of mitigated retaliation; but that, this measure having proved ineffectual for its object, he had found it necessary to adopt others of greater rigour, which required the aid of parliament to give them complete and effectual operation. The resources of the country continued to be so abundant during the last year, as to have produced, both from the temporary and permanent revenue, a receipt considerably larger than that of the year preceding; he confidently hoped, therefore, that it would be found possible to raise the necessary supplies for the present, without any material addition to the public burdens. It concluded by affirming, that, if ever there was a just and national war, it is that which his majesty is now compelled to prosecute. This war is, in its principle, purely defensive; his majesty looks but to the attainment of a secure and honourable peace; but such a peace can only be negociated upon a footing of perfect equality. The eyes of Europe, and of the world, are fixed on the British parliament; if that parliament displayed the characteristic spirit of the British nation, and faced, unappalled, the unnatural combination which was gathered around, it was the king's firm persuasion, that, under the blessing of Divine Providence, the struggle would prove ultimately successful and glorious.

The Earl of Galloway, in moving an address, according to customary form, touched upon all the topics of the speech. The capture of Copenhagen, he said, verified all that government had foreseen; an arsenal was found there over-supplied with every material of equipment, magazines replete with stores, which were ascertained to have been purchased by the agents of France, and it was evident, from proofs which no seaman could mistake, that the fleet was on the eve of being fitted out. Concerning Russia, he hoped some good would be extracted out of evil, and that we should become independent of her for ever If the legislature

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would grant a liberal bounty to encourage the cultivation of hemp and flax, both at home, and in the British colonies, our quarrel with the Emperor Alexander would, indeed, be beneficial to us. The opinion which he expressed concerning America, differed, in some degree, from that of the ministry, and it came with weight from him as a naval officer. It was not, he said, his intention, to dispute the principle of respect which is due to national ships of war, as applicable to the government and nations of Europe, but, as merited by America, he was inclined to think, that, if all the details of that transaction were before the house, their lordships themselves would question it. He was, however, happy to learn, that it was not the intention of ministers to concede one point more to that illiberal and prejudiced people. A stand must be made somewhere, and where can it be made better than in defence of our seamen and our trade, which they unequivocally demand?

The Duke of Norfolk moved, as an amendment to the address, that all that part of it which approved the expedition to Denmark should be omitted. He did not wish it to be understood that he meant to condemn the expedition; for, if he were well informed concerning it, he might, perhaps, approve it himself as warmly as any man: but, among the papers which were ordered to be laid before parliament, there was not a single document upon this subject.

It was inferred from the tenor of this speech, that the Prince of Wales and his friends were not disposed to censure the conduct of ministers on this occasion. On the other hand, it was supposed, that the king had given a reluctant consent to the attack upon Copenhagen, because Lord Sidmouth totally condemned it. His arguments were, that Denmark had given no indications of a hostile disposition towards this country. At the time our fleet entered the Baltic the Danish army was in Holstein, prepared to resist the French, or any other power that should attempt to violate their neutrality. When did this perfect understanding between Denmark and France take place? The definitive treaty between France and Russia was signed on the 8th of July, and Lord Gambier entered the Baltic on the 3d of August. Therefore it was not possible that ministers could have acted upon any information which they had obtained of the secret engagements entered into between France and Russia. To justify the attack upon Copenhagen, it ought to have been proved, that the danger was a danger of great magnitude, and such as could not be warded off by other means; for, certainly, the calamity inflicted was not proportioned to the calamity apprehended. If Holstein had been occupied by the French, still Zealand was not at their mercy; nothing but such a frost as would render the Great Belt passable for an army could have endangered it; but, supposing the French had got there, and obtained possession of the Danish fleet, he would not so derogate from the valour, the activity, and the exalted character of the British navy, as to admit, for one moment, that any well-grounded apprehensions were to be entertained from the addition of sixteen sail of the line to the maritime strength of the enemy. Still, he trusted, ministers

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would yet be able to lay such documents before the house, as would justify an enterprise which so deeply involved the honour and character of the nation. Upon the other topics of the speech, and the address, Lord Sidmouth coincided with ministry. The emigration of the court of Lisbon, he said, was a measure which reflected immortal honour upon the Prince of Brazil, and promised the greatest advantages to England, not immediately, indeed, but ultimately. We had done wisely towards America in not insisting on the right to search ships of war, for our restrictive policy should be commensurate to the exigency of the case. He then adverted to the petitions for peace, and justly censured them, saying, there was no ground for doubting the disposition of ministers to make peace when it could be done with security and honour to the country. The way to restore peace was to adopt a plan of expenditure that should enable us to carry on the war, and to convince the enemy that his plan of ruining our finances was hopeless; but it was in vain to look for a secure peace, unless a military system should be adopted which should be available at all times.

Lord Grenville entered into a wider field of discussion. It was truly asserted, he said, in the speech, that the eyes of Europe, and of the world, were fixed upon the British parliament. There is on the continent a great reliance on the integrity and on the justice of the British parliament; they look with anxiety for its decision upon the motives and the policy of the expedition against Denmark. It has already made an impression throughout the continent unfavourable to this country. How much greater would that impression be, if parliament gave its decision, approving that expedition, and still more, if it approved it without any evidence or information upon the subject? In his majesty's declaration respecting that subject, secret articles were stated to exist in the treaty of Tilsit, proving a determination to form a hostile confederacy against this country, of which Denmark was to make a part. In the declaration respecting Russia we were told, not of secret articles, but of arrangements made at Tilsit, and now in the king's speech neither the one nor the other were mentioned. Thus had the grounds been shifted upon which the expedition was justified, and thus had the assertion which was to prove its necessity been first weakened, and finally abandoned. It was indeed laid down, by the most approved writers on the law of nations, that, where you have certain evidence of the intention of an enemy to seize upon the territory, vessels, or property of a neutral, such neutral being incapable of resisting, and thereby to place you in imminent danger, you have a right to seize them yourself, for your own safety; but the same writers state the dreadful consequences which would result from the application of such a doctrine, unless the imperative circumstances were accurately defined; the intention of the enemy, the danger to yourself, and the incapability of the neutral, ought all to be clearly established. The intention on the part of France he admitted, but how, he asked, did that bear upon the point? and how, even if Denmark had become a party to a treaty against this country, could that be a justification for seizing her fleet and her territories? After showing, in what respect, the proof of the other points was de-

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fective, he lamented that the speech should be so worded as to tend to induce a belief that peace would be rejected; and though he censured the petitioners, he censured ministers also, for asserting, that we should not enter into a negociation, unless the basis were previously stated, and that we should not avail ourselves of the mediation of any power suspected of partiality to the enemy. As to Portugal, it appeared to him, he said, that ministers had appreciated the subject very erroneously indeed. We had lost Lisbon and Porto, two of the most important ports for us on the whole coast of the continent; and what had we gained? The increased culture of Brazil, far from being of service, would be injurious to us; and he could not conceive how the emigration of the court of Portugal to that territory could extend the market for our goods, which it had already afforded us. So far as that emigration evinced any friendship for us, or presented a contrast to the conduct of other powers, it certainly formed a grateful subject for the contemplation of mankind. But as to the commercial and political advantages to be derived from it, he could not consent to delude his countrymen by holding out such hopes, and he was rather of opinion with the French, that the transfer of the Portugueze government to Brazil, would be more advantageous to France than to England.

So many points of much greater parliamentary, party, and immediate interest were discussed in this debate, that what Lord Grenville asserted respecting Brazil was left unanswered. Hitherto we had had no direct trade with that country; every thing went through Lisbon, and when it reached Brazil, was clogged with heavy duties, and the charges of a second freight. Hitherto the court of Lisbon had acted towards its colonies upon a jealous system of policy, fearful of their growing strength, and anxious to keep them in dependence. Now that St Sebastian was become the capital of the Braganzas, this feeble system was at an end, and the strength of the colony became the security of the sovereign. Thus, then, the removal of the court necessarily tended to the encouragement of commerce, and the consumption of English goods would be increased in proportion as they could be afforded cheaper. Lord Sidmouth had rightly observed, that this removal would ultimately produce the greatest advantages to England, not immediately,—it was easily to be foreseen that the greediness of our speculators would overstock the market, and make the trade a losing one for a time; so far, therefore, Lord Grenville said wisely, when he declared, that he would not delude the people with flattering hopes; but, in thinking it probable that France would derive more benefit from this great event than England, he advanced a paradox which he did not attempt to support; and, in affirming that the increased prosperity of Brazil would be injurious to us, he betrayed a predilection for what are called "truly British interests," the basis of a pitiful system, equally selfish and short-sighted.

Lord Grenville proceeded to the affairs of America. A war with America, he said, would be the greatest additional calamity for us, and the greatest advantage for France. Ministers had studiously separated the two questions which were in dispute, the attack upon the Chesapeak, and the Orders in Council: but those

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questions could not be separated in America, nor could they be separated in discussion here. When all the papers, relative to these orders, were laid before the house, it would then be for them to enquire whether his majesty's government could constitutionally enact such prohibitions. He maintained, that they had actually violated an article of magna-charta. America had received the most satisfactory assurances from France, that its blockading decree would not be acted upon against American shipping; in point of fact it never was acted upon, he did not think that France ever intended to act upon it; he believed that, and all other decrees of the same character, were but mere experiments upon the wisdom and discretion of the British government, experiments which, unfortunately, had been but too successful. The French decrees must have been a mere dead letter, except in their own ports, and could have availed nothing, if ministers had acted prudently; but, by their precipitance, they had placed this country, with regard to America, in that state in which France otherwise would have stood; for though the system of restriction originated with our enemy, we had so adopted it as to appropriate the odium to ourselves.—In concluding his speech, he prest upon the house, the necessity of immediate enquiry into the state of Ireland, with a view to the adoption of measures calculated to conciliate the population of that country. The principal points to which he would direct the attention of the house, upon this subject, were familiar to their lordships, and he conjured his majesty's ministers to use their utmost endeavours to remove every obstruction to the attainment of those objects; for, compared to the question of Ireland, every other subject which called for their attention, every topic that had been alluded to in the course of the debate, was trifling, and was, in fact, little else than driving nails into the sheathing of a ship, while her main timbers were on the point of starting.

Lord Hawkesbury's reply related chiefly to Denmark. Evidence, he said, was required of the secret engagements, in the treaty of Tilsit, to employ the navies of Denmark and Portugal against this country; but that evidence was of a description which could not possibly be produced: for, were government to communicate private information, there would be an end of all confidence; and, at this time, when Europe was under the controul of France, the lives of individuals, friendly to this country, would inevitably fall a sacrifice. But even the papers published by the French government did not contradict the assertion, and there were facts which corroborated it. It was corroborated by the testimony of the Portuguese government, to whom it was proposed to make common cause with the Continent against England, and to unite their fleet with that of Spain, of France, and of Denmark—to make a general attack upon this island. It was corroborated by the testimony of different persons in Ireland, where it was promised, that these combined fleets would make a descent, both there and upon England; and the time when this design was to be attempted was announced to the disaffected. The intention of Denmark could not be doubted. He lamented the uncalled-for mention of the state of Ireland. The concessions alluded to could not now be thought of. Indeed, even if these concessions were made, still greater

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ones would be called for, and there would be no end to such demands. He had made it his business to trace the evil in Ireland to its remotest source, and he was convinced that those concessions would not quiet the people of that country for a single month.—The address was of course carried. A protest was entered against it by the Dukes of Gloucester and Norfolk, Lords Moira, Lauderdale, Grey, Holland, and Sidmouth, because no proof of hostile intention, on the part of Denmark, had been produced; to which Lord Erskine added other reasons, at considerable length. The strength of the objection lay in this, that the Danish expedition was a most manifest departure from that system of moral policy and justice on which we had hitherto professed to act: that, if it had been certain that the French would seize the fleet of Denmark against her consent, the iniquity of that act ought, in sound policy, independently of all considerations of justice, to have been left to the French government to perpetrate, because the carcases of the ships would have been the only fruits of an action of the deepest atrocity. But in taking this part upon herself, Great Britain had lost her moral station in the world.

The debate in the House of Commons was of the same character. In defending the expedition to Copenhagen, it was asserted, that in no other warlike enterprise had so much entreaty been resorted to before success, and so much forbearance manifested after it. What ministers had planned with decision, they carried into effect with a force which could leave the Danes no hope of triumphing in a contest; and the conduct of the Danish government was no more to be justified for sacrificing so many lives in a hopeless resistance, than the heroism of their prince was to be admired, who, himself, escaping from the dangers with which he was environed, coolly devoted his capital to destruction, and its inhabitants to slaughter. The principle of the measures adopted by his majesty's ministers, on this occasion, was the broad principle of retaliation and self-defence. We were justified in acting upon probabilities, because that doctrine was consonant with the law of nations,—if any public law had survived the subjugation of the powers of the Continent, or if there was now any rule for the conduct of nations to be found in Europe, except that of the Napoleon code. The principle was fully justified by Vattel; it was a doctrine laid down by that writer, that, when the security of a nation was threatened, its government should act upon reasonable presumption; and he asserted, that too scrupulous an attention to justice, in times of danger, paved the way for slavery. But papers were demanded to prove that ministers had acted upon good information. Was this the moment when such documents were to be called for? Was it possible, said Mr Canning, at a time, when there was no capital on the Continent where the power of Buonaparte could not drag the offender against him to execution; when there was no British accredited agent in any country of Europe, was it possible that such a time should be fixed on for divulging the sources of secret intelligence? Was this country to say to the agents who served it from fidelity, or from less worthy motives, "you shall serve us but once, and your life shall be the forfeit!" The arrangements at Tilsit, and the measures that ensued, without any document, justified the mea-

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sures of government. A communication of the substance of the secret articles they had, and that from the most unquestionable authority. The conduct of France had annihilated every thing in the world like neutrality: there existed but two powers, the enemy's and our own. In the moral character of our government, and of our people, in the wisdom and energy of the one, in the bravery and unanimity of the other, we possessed complete assurance of success in the contest in which we were engaged. We had ample means of carrying on war. In our navy we had not only the most efficient defence, but a greater power of active hostility, than perhaps we were yet ourselves aware of. By directing our naval force in every possible direction, we might shew the enemy that a predominant navy gives a power scarcely inferior to that of a conquering army; we might controul the haughty mind of the ruler of France, and inspire him with that respect for this country, which, alone, would insure permanent tranquillity. Peace, at present, could be nothing more than a suspension of hostilities; no formal act of government could root out rancour, and stifle jealousy; if we did return the sword, our hand must never quit the hilt.

On the other hand, it was maintained, that, to attack a neutral country, was, *prima facie*, unjustifiable, and proof of its necessity must be produced before the action could be sanctioned. The determination of France to compel the Danes to join a confederacy against this country, could not justify our government in attacking the capital, and seizing the fleet of Denmark, without knowing whether or not she would agree to join that confederacy. We had gained fifteen or sixteen hulks, but had excited an inextinguishable hatred in the breasts of the Danes, and given the whole maritime population of that country to France. It was urged, that the attack was made in order to prevent Denmark from joining France: but it had shut us out from that country, and thrown its whole resources into the hands of France. We have got the ships, but they have got the men—we have got the body, and our enemy the soul, of the Danish navy. There might be circumstances, said Mr Windham, which would, strictly speaking, give you a right to do what you have done, which, yet, would be very far from rendering such a step either prudent or advisable. Whatever became of the question of right, he had no hesitation in pronouncing, that the measure was wholly unwise and impolitic: and, could it be proved to a certainty, that if the fleet and stores had not been seized as they were, they would inevitably and speedily have fallen into the hands of Buonaparte, still he would say, rather let him have them in the circumstances in which he must have taken them, than us, in the circumstances in which we have taken them. Time would come when the stores would be eaten up, the ships be worn out and lost, and new stores and new ships have been supplied in their room, to the arsenals and dock-yards of Denmark, and when the English government would be left, only with the shame of what it had done, and the serious and lasting consequences which that shame would bring along with it. We had acted, upon this occasion, from the impulse of a principle, often one of the most improvident and short-sighted, namely, that of fear; and had looked only to our temporary

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and partial, instead of our general and permanent interest. Nothing could be more transitory than the advantages that we had gained; nothing more durable than the evils at the price of which these advantages had been purchased. Never more were we to look to the Danes for any thing but the most deep-rooted ill-will, the most inflamed and bitter enmity. What was of still more consequence than even the friendship or enmity of any people, however powerful, we should have lost the fair fame and character of the country.

It had been said by the supporters of the measure, that we had forborne too long, and had too long been patient of the flagitious conduct of France to other countries. Had this country, which had so long been calling upon the living God in defence of morality and social order, now, at length, found out that its conduct was wrong, and that Buonaparte, who had all that time been worshipping Baal, was right? We have thus put it into the mouth of every Frenchman to retort upon us the charge of all those enormities with which we have accused France. We have been imitating the very conduct of the enemy, which, hitherto, it had been our constant and just object to expose and decry; and our imitation, too, was just of a sort to give us a full share in the disgrace, without any share in the benefit.

Respecting peace, the opposition seemed to be less unanimous. Lord Sidmouth's party did not touch upon it. Mr Ponsonby said, that, though the first object of any statesman in the country ought to be to procure peace, he hoped that we should never, in any negociation, tamely listen to the demands of the enemy. He was fully aware how much it became us, at this particular time, to stand firmly on the high ground to which we were entitled, by our honour, by our dignity, by our resources. If England stooped her head before France, she would never raise it again.—Mr Whitbread, on the contrary, true to a system, which, if it ever should unhappily be pursued, would destroy the spirit, the honour, and the independence of Great Britain, declared that, in his opinion, peace was necessary to the salvation of the country. He added, indeed, that he would rather the country should perish than submit to a dishonourable peace; but this qualifying sentence was soon done away, when he asked, whether, in spite of our prosperity and our resources, an indefinite war would not be ruin? We had fought fifteen years, he said, against France, and reduced all the powers of Europe, except Sweden, to a state of subserviency to France, to a power the greatest the world ever saw, and governed by an individual, as able to wield that power as any person the world ever produced. He begged to deprecate the use of contumelious language towards a power with which we must sooner or later negociate.—Mr Sheridan also was sorry to observe, that every day brought forth some new accusation against Buonaparte, as an usurper, a tyrant, a murderer, a plunderer, and every thing atrocious and abominable. He was sure that the editors of our public prints would not persevere in such abuse, if they were not encouraged to it, for they were sensible men. Buonaparte acted with humanity towards the enemies who had lost the power of doing him injury, and he might plead, in the jealousy, hatred, and assassinating spirit of his enemies, an excuse for his atrocities.

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Jan. 22. The subject was renewed the following night in the commons, when the report of the committee, to whom the address had been referred, was brought up. The point of time was pressed upon the ministry, to show that their measures must have been resolved upon, before they could possibly have known that the treaty of Tilsit was signed. In answer to this it was averred, that they were previously informed of the substance of the secret articles, and that the armament was then equipping for a different object, when this secret intelligence made it necessary to employ it against Copenhagen. Respecting the call for documents, Mr Yorke declared it to be his conscientious opinion, that more inconvenience had arisen to this country from improvident grants of information, and from the government being so urgently pressed for the production of papers, than from any other cause. He was old enough, he said, to remember the American war, and he could state, from opportunities which he had of personally knowing the fact, that, in consequence of the production of papers relative to the sailing of the Toulon fleet, on the motion of Mr Fox, the French had been enabled to cut off a source of intelligence which this country had possessed in Holland since the days of Queen Anne. Was there not enough on the face of such papers, to give the enemy means of tracing the source from whence they came? In truth, the danger and folly of divulging foreign correspondence must have been clearly perceived by all men, who did not suffer the feelings of party to stifle all other considerations. The present opposition had, with great truth, as well as bitterness, complained of their predecessors for a mischievous publication of this kind, which seemed to have been done for the purpose of embarrassing those who supplanted them. In the present case, it was manifestly impossible for ministers to impart the information which was called for without sacrificing the life of their agent. And yet, though no man could be obtuse enough in understanding not to perceive this, and though the fact which Mr Yorke had stated bore so completely upon the point, Mr Whitbread could only say, he believed the great cause of many of the evils with which this country had been afflicted, was owing to the system that had prevailed so generally for the last fifteen years, of holding back papers and documents from the public! It was his conviction that ministers never had * received, either in substance or form, any such secret information as they pretended.—But the most remarkable passage which occurred in the debate, fell from Mr Windham, who declared it to be his opinion, that honour in any peace which should now be concluded, might be considered as totally out of the question. Safety now was all that we need look for, and this was all that he would ask! †

* Mr Whitbread might have remembered a saying of Mr Fuller's in this very night's debate. Speaking of the Prince of Denmark, that member extraordinary for the county of Sussex, said, "Call him the crown prince, or the half-crown prince, or what you would, it was certainly most absurd to say, that he and his confederates should be believed in every assertion they were pleased to make, and that not one word coming from our own government should be credited."

† It is worthy of remark, that when Mr Windham had uttered these words,

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Jan. 28. The subject was revived on the 28th, when a vote of thanks was moved to the officers employed in the expedition to Copenhagen, and this question the ministry wished to be considered without any reference to the justice or policy of the measure itself. This was an obvious artifice; they wished to make the capture of the Danish fleet appear a splendid as well as a necessary action, and, with that intent, had fired the Park guns, when the dispatches which announced it arrived, and conferred peerages upon the naval and military commanders. The motion was opposed upon this fair ground, that however important the service, and however ably performed, it was not of a nature to justify so high a distinction. Where, said Lord Holland, were the difficulties that were to be encountered and overcome in the performance of that service? Had it any of those brilliant traits which exact admiration and command respect? Had it any thing in it that redounded to the glory of the country, or to render its name and character more respected and memorable?—The same ground was ably taken by Mr Windham. How, he asked, was that to be converted into triumph, which was justified only as being a painful necessity? If pain were to make part of the sensations excited, the joy could not be very complete. It was not, in fact, nor ought it to be, that unmixed effusion which we witness in the country on any of those occasions which, really and truly, and, as it were, by acclamation, call forth the thanks of this house; but that sort of sober, chastized, subdued joy, if joy was to be felt at all, which a father would feel on hearing that his son's life was safe, but saved by an operation which was to leave him a sufferer and a cripple all the rest of his days. It was not in this state of mind, nor for successes of this description, that a nation indulged in public rejoicings, or poured forth its acknowledgments to those by whom those successes had been obtained, however meritorious, individually, their conduct might have been. National thanks implied national rejoicings; and national rejoicings did not belong to the present occasion. It was on this principle that he heard, with pain and disgust, the firing of the Park and Tower guns, on the day when the news arrived. It was a call for exultation on an occasion when sorrow for the necessity of using force, and sympathy for the sufferings brought upon the Danes, was in the mouths of his majesty's ministers, and in the hearts of the British people. Passing afterwards to the peerages* which had been

which it would break the heart of a true Englishman to believe, he immediately quoted the couplet,

> "Now give, kind Dulness, memory and rhyme,
> "We'll put off genius till another time;"

as if to show how completely he could put off all feeling, and all sense of respect for the intellect with which God has gifted him, and for the assembly in which it too often seems to be his chief ambition to wear the cap and bells.

* The house, he said, was now called upon, by lavishing rewards, to cast a false lustre on an act of doubtful justice and policy; but the nature of the stratagem

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granted on this occasion, he spoke in a strain of sound philosophy. This sort of grant, he said, was an instance of the worst species of ministerial corruption, inasmuch as it went to the destruction of that fund of honorary rewards, in which the poorest man in the country, if the case were properly explained to him, or even without any explanation, on the pure impulse of feeling, would be sensible, that his interest would be more materially involved and affected than in the most wasteful expenditure of the produce of the taxes. A pension, if unworthily bestowed on one, would remain a recompence of no less value for another; but a title of honour, or a vote of thanks, would sink in value, both as to the past and the future, upon every misapplication that the granting of either were subjected to.—This argument was strictly applicable to the question, whether the expedition were justifiable or not; and, if it were followed to its legitimate consequences, would lead Mr Windham into a political free inquiry, from which he, perhaps, would be one of the first to shrink.

Feb. 3. Thus had the two Houses of Parliament congratulated his majesty upon the success of the measures taken to secure the Danish fleet, and voted their thanks to the officers employed in the expedition. But the subject was not permitted to rest here. On the 3d of February, Mr Ponsonby moved for the substances and dates of all information transmitted by his majesty's ministers at the court of Copenhagen, during the last year, respecting the naval force of Denmark; and, particularly, respecting any measures taken for augmenting the same, or putting it in a state of better preparation, or for collecting seamen for the purpose of manning the same, or any part thereof. The arguments which were now adduced by the opposition were, that, had Denmark been required to give up its fleet to France, and thus compelled to make a choice between the two contending powers, it would have preferred an alliance with England, because England could take all its foreign possessions, could injure its marine, and employ Sweden to attack Norway. That Denmark had not intended to co-operate with France, because, when admiral Gambier was preparing to sail, many of the Danish captains hearing, among other rumours, that it was as likely that the British fleet was destined against Copenhagen as any other place, consulted the Danish consul on the subject; and he, having applied to the chamber of commerce in that city, which is a branch of the public administration of government, received for answer, that there was

would be canvassed and exposed, and the public would join him in thinking such distinction a shame rather than an honour. It would be like the case of Sir Brooke Watson, who, having to go in the city pageant on Lord Mayor's day, and being asked what he intended to do with his wooden leg, answered, with great good humour, that he meant *to gild it*. While there seemed, in fact, a sort of propriety, that in the midst of so much splendour, nothing so plain should appear as an ordinary wooden leg, it would, on the other hand, have been supremely ridiculous, to set off ostentatiously what it must be wished to conceal; to decorate a defect, to attract attention and notice to what could be regarded only with regret and pain. This was exactly, however, what his majesty's ministers were doing—they were gilding their wooden leg.

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not the smallest ground for anxiety or alarm on the part of the Danish mercantile interest; for that no circumstances existed which tended to disturb the tranquillity of Denmark, or to place her in a state of hostility with Great Britain. At the time this answer was received, there were three hundred and fifty Danish ships in our ports, with cargoes amounting to two millions sterling. Was it credible, was it possible, that, when the Danish government assured its merchants they need be in no alarm, when a third of the commercial property of Denmark was in our hands, was it credible, or possible, that Denmark should then be meditating hostility against us?

Thus, then, it appeared, that Denmark was not inclined to take part in the confederacy against Great Britain. But France could not have forced her into it, for France had no means of forcing her. It is more than a hundred and fifty years since any troops have crossed the Great Belt upon the ice, more than sixty since any winter has been severe enough for such a passage to be practicable. Suppose this accident had happened, was it to be believed that the French could have accomplished such a passage in spite of the Danish, Swedish, and British forces united to oppose them? and, unless the Belt was frozen, the Danish navy alone was equal to defend it. But it was said, France would be assisted by Russia, who had entered fully into the views of Buonaparte. To those who believed this, it must have been strange indeed to see the Danish marine seized by this country, and the Russian ships permitted to run about at pleasure, for Russian ships of the line had been suffered to pass unmolested through our fleet. This assertion, that Russia had leagued with France, in the design of bringing all the fleets of Europe against us, was belied by the whole tenor of our conduct towards Russia. For, otherwise, when the court of Petersburgh was demanding explanations respecting the motive of our expedition to Copenhagen, the British ambassador must have answered, Why do you ask this question, when you yourselves have created the necessity? when you yourselves have been the chief instigators of the project which my government has taken this measure to defeat! Otherwise, how was it that that ambassador was never instructed to remonstrate with Russia upon the new course which she was pursuing, and that, even in the very dispatch wherein the change of the emperor Alexander's principles is first noticed, his majesty still declared himself perfectly willing that the pacification with Denmark should be wholly the emperor's work? and it appeared, from the correspondence which had been laid before the house, that no hostile disposition towards England was manifested by the emperor, till after the seizure of the Danish fleet. Thus, then, it was argued, the necessity which was pleaded for that iniquitous measure had no existence. France could not have seized the fleet. Russia was not combined with France to demand it. Denmark was not disposed to yield it. Our conduct had been as absurd as it was unprovoked. We had attacked Denmark because France entertained the three projects, of shutting the Sound against us, of excluding our manufactures from the continent, and of taking the Danish fleet; and, by taking the fleet ourselves, we had enabled France effectually to accomplish, by means

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of Denmark, the objects of the three! Then having proceeded so far, we left our work incomplete; for, if it were not possible to keep Zealand, the arsenal and the docks might have been destroyed, and the batteries and Cronenburgh castle, so as to secure to ourselves the passage of the Sound. But we first provoked the Danes, and then left them these ample means to annoy us.

In reply to these arguments, the conduct of Denmark, in the years 1780 and 1800, was appealed to, as proving, either that her disposition was hostile towards Great Britain, or that she felt herself unable to resist the influence of France and Russia. The intentions of France no one doubted. The court of Portugal had given repeated information, that they had been called upon to join the Portugueze fleet to the other navies of Europe by the first of September. At a levee of Buonaparte's, in one of those extraordinary conversations in which he was accustomed to indulge himself with foreign ambassadors, he addressed himself to the Portugueze minister, and asked him, whether he had transmitted to his court this order, that the navy should be ready by that time? and then immediately turned to the Danish minister, and asked him whether he had made the same communication? These were the avowed designs of France; and it was argued, that, on the part of Denmark, there was less will to resist than power; witness the passive submission to all Buonaparte's commercial decrees, and the remonstrances against our mitigated measures of retaliation: witness the immediate retreat of the Danish army, when their territory had been violated, and their troops attacked by the French in pursuit of a Prussian corps, after the battle of Jena: witness their refusal of a Swedish army offered by the generous King of Sweden for their assistance, when he communicated to them that Norway had been held out to him as a lure, if he would make a common cause with France. Yea, in the very streets of Copenhagen, a short time before our attack, an Englishman could not walk without the risk of being insulted, and told, that the policy of England was always to shed the blood of others in furtherance of her own selfish views. It had been said, that the proposal made to Denmark, to surrender its fleets in deposit, was such as no nation could listen to with honour: the Danish government, aware of the dangers which were gathering round it, had thought of reducing its navy by sale, and the Russian ministers had actually entered into a treaty for the purchase of part of it. The influence of national pride, therefore, could not be very active there.

While we were accused of acting with precipitate violence against Denmark, a charge is made of undue forbearance towards Russia. For this conduct there was ample cause. There were, at that time, in the Russian ports, five hundred British ships, and six thousand British seamen, objects too important to be hazarded for the sake of the hulks at Cronstadt. Moreover, it was adviseable to spare Russia, because the majority of the better Russians were anxious to continue their connexion with England; but they would still feel for the honour of their country, and it would not be desirable to destroy our own popularity, by unnecessarily wounding their national feelings. Neither would it have been wise to

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have driven the emperor himself to extremities; for, considering the circumstances which had brought him into alliance with France, and the disgusting humiliations to which he had been subjected at the conferences of Tilsit, it was still hoped that his magnanimous spirit would resume its natural character, and that he would perceive the true interests of his empire; not, indeed, to renew the war, that would be hopeless; but to maintain that free and unshackled neutrality, which, for the welfare of his people, and for his own dignity, it behoved him to support. For these reasons it was that the Russian ships of the line had been permitted to pass unmolested through our fleet.

It was false that the enmity of Russia was provoked by our attack upon Copenhagen. A great majority of the principal Russians rejoiced at that event; not those alone who were called the English party, but others, who thought they ought not to have entered into a war with France, and wished their country to keep aloof from the disputes of the rest of Europe. These persons saw, with alarm, a French army in Poland, and another on the frontiers of Turkey, and they were happy at the check which the expedition to the Baltic gave to the views of Buonaparte, for they dreaded his hostility through Denmark. The emperor Alexander's ill-will towards us had long been brooding; all accounts agreed in representing, that his mind was alienated from us, and the reason of that alienation might easily be conceived. The expectation of assistance from England, no matter whether well or ill founded, was the cause, not of the peace of Tilsit, but of the temper in which it was concluded, when the military disasters had rendered that peace necessary. Out of twenty dispatches received from our ambassador with the emperor, there was not one in which he did not say, "send assistance, or Russia will fail you: make a diversion which will take part of the weight of war off Russia, or she will withdraw from it."

Why, it had been asked, did we not go farther? why conquer Zealand, and then relinquish it? For this reason, the practicability of holding it as a military station had been taken into consideration, and the reports of the officers who were consulted, proved, that the force necessary for the defence of that island was far greater than this country could spare, in the state of military poverty in which the former administration had left us. Nor was it advisable that the deficiency of our troops should be supplied by Swedes, as the removal of that force would have weakened Sweden too much, in case of an attack upon Russia.—This answer, or at least the latter part of it, was satisfactory; but to the charge of misconduct, in not having so far crippled Denmark by destroying her fortifications as to secure to ourselves the passage of the Sound, no reply was attempted.

Much personal asperity was mingled with this discussion. His majesty's ministers, said Mr Canning, are called to account, not for disaster and disgrace; they are called to answer on an accusation of success, to explain the elements, and justify the motives of an eminent service successfully performed. An opposition, peculiarly qualified by its own splendid atchievements to enquire into the conduct of its successors, had put them on their trial for what, until

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questioned by them, had been considered as the salvation of the country. Of all persons, he did not think that they should be accused of injustice by the captors of Alexandria; of mismanagement by the attackers of the Dardanelles; as inglorious by the conquerors of Constantinople! The very principles upon which the expedition to Copenhagen proceeded were professed and acted upon by those very persons who now so loudly exclaimed against them. Mr Garlicke had been instructed by Lord Howick, to declare to the Danish government, that his majesty could never, in the event of that power submitting to the controul of France, suffer either the whole or a part of its navy to be placed at the enemy's disposal: and if the Danes should suffer the French to occupy Holstein, his majesty could not abstain from those measures which would be necessary to maintain the honour of his crown, and assist the interest of his subjects. Here then had this principle been distinctly proved. It had been acted upon towards Portugal in the year 1805, when Earl St Vincent was sent to Lisbon with these instructions: 1st, If the Portugueze government should, by itself, or in conjunction with Spain, be disposed to defend the country against the French, to promise all the assistance that Great Britain could afford. 2dly, If the government should resolve upon emigrating to Brazil, as it had once proposed during the late war, to offer them the assistance of a British naval force, under the protection of which alone that determination could be effected. Lastly, if there should not be vigour enough in the government to adopt either of these resolutions, he was to prevent, if possible, the port of Lisbon from falling into the hands of the French; and, at all events, the Portugueze navy was to be secured; every vessel of which, that was serviceable, was to be brought off, together with the ships, goods, and persons of the British factory, and also the court, if it should be so disposed. For the execution of these instructions, the troops that were then embarking were to be sent to him with all convenient expedition, but he was not to give any intimation of the circumstance to the Portugueze government, nor to hold any language that might excite the suspicion of the French minister, or lead to any measures of precaution; and, as it might be necessary to employ the troops immediately on their arrival, in order to secure a strong position, he was to have the marines and boats of the fleet constantly in readiness for that service. These instructions, said Mr Canning, were clear in their tenor, precise in their object, and conclusive as to the question then under consideration. If any member wished for the document it would be laid on the table; and the only shyness that had been felt in producing it before, was, that it would place him and his colleagues in the situation of convicted plagiarists. These were the instructions that had been given by morality itself; and the only difference between them, and those that had been given by the present government, respecting Copenhagen, was, that the latter did not desire that the army should be introduced in disguise.

After a debate, which lasted till half after five in the morning, Mr Ponsonby's motion was rejected. The subject was renewed in the House of Lords, on the 8th, when the Duke of Norfolk moved for such proclama- *Feb.* 8.

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tions as had been issued by our naval and military commanders, before Copenhagen, previous to the attack, and for the substance and dates of all information transmitted by his majesty's ministers at the court of Denmark during the last year, respecting the naval force of that country, and more particularly respecting the measures that had been adopted for augmenting the same, or for putting it in a state of forward preparation for sea. The former part of this motion was agreed to; the latter gave occasion to another discussion of the whole subject at length. The possibility of Denmark defending Zealand against France was questioned by Marquis Wellesley, had she been disposed to defend it. The ordinary state of the Belt in winter, he said, was to have the passage intercepted by floating ice, which was carried off by the current, and dispersed by the wind, or occasionally melted during an interval of warm weather, so as wholly to disappear. There were no tides there, and the course of the stream accompanying the wind, nothing was more frequent than for vessels in that channel to be driven off from their station. In this situation the enemy might easily effect a descent from the opposite shores. While it was easy to invade the island, there were circumstances which rendered it difficult to defend it. Zealand did not produce provisions sufficient for the maintenance of its own inhabitants; and was, therefore, even for the ordinary demand, dependent upon Holstein and Jutland for the principal articles of subsistence. If numerous forces were collected there, the demand would be proportionately greater, whereas the means of supply would be cut off, France being in possession of those countries: and whatever might be the disposition of England to assist them, it might be physically impossible to render assistance; for the inclemency of the season would probably prevent access at the time when communication was absolutely necessary to their support. The passage of the Belt had been represented by Lord Grenville as not less difficult than that between France and England; it was, however, considerably narrower, and there was another most material circumstance which had been overlooked; the difference between the resources of England and Zealand. It had never been doubted that the French might push over a body of ten, fifteen, or twenty thousand men to this country; in this country such a force would instantly be crushed; but in Zealand it would be sufficient for its object.

In reply to this, Earl St Vincent * declared, that he should think it more practicable to invade England from Boulogne, than Zealand from Holstein. The Earl of Buckinghamshire asserted, that so far from cruisers not being able to keep their station in the Belt in ordinary seasons,

* This nobleman said the Danish fleet seemed to him to be exactly what it was eight and forty years ago. Lord Mulgrave replied, this reminded him of the sailor, who, passing the Horse-guards in his way from the Admiralty down to Portsmouth, saw one of the dragoons mounted at his post; on his return, after a ten years absence, he observed another dragoon in the same place, and conceiving him to be the same man, cried out, "Ah! damn you, are you there yet?" He supposed the Danish fleet was like the Sleeping Beauty, who awoke, after a nap of a century, in full possession of her youth and charms.

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the anchorage was so good as to render it perfectly practicable; and by placing gun-boats upon the coast ready to put off, any armament, unsupported by a superior naval force, might be easily resisted. Lord Hutchinson also delivered it as his opinion, that Zealand might have been defended with success against the French. It seems, indeed, equally certain, that it could have been defended, and that it would not. A more important part of the debate related to what had passed in the commons, concerning the instructions given to Earl St Vincent in his expedition to the Tagus, and the tenor of Lord Howick's dispatches to Mr Garlicke. It was maintained by the former, that there was no resemblance whatever between the conduct which he was charged to pursue, and what had been done at Copenhagen; and, with respect to Mr Garlicke, Earl Grey affirmed, that, so far from representing the Crown Prince as under the dominion of France, he had uniformly described him as of a disposition and spirit to resist every idea of compulsion, and every attempt to induce him to deviate from his neutrality. Earl Grey admitted, that he did, in one of his letters, figure a possible case, and give directions accordingly; but, in the very next sentence, he expressed his conviction that such directions were unnecessary. He challenged administration to produce his dispatches, if they should presume to intimate that they breathed any different language. In this, and in every other part of his official duty, he said, he was particularly anxious that his conduct and character should be fully examined.

Nothing, however, which occurred in this debate, excited so much attention as a statement made by Lord Hutchinson concerning his mission to Russia. "I think it," said he, "the more necessary to say a few words respecting that mission, in consequence of partial extracts from my letters having been communicated in another place, by which I have been held out as giving opinions which were never delivered by me. The Russian army in Poland never amounted to more than 70,000 men, with the exception of two detached divisions, amounting to about 30,000. The French troops were estimated at 150,000. After the battle of Friedland the loss of the Russians amounted to 40,000 men; they lost also * 1898 officers, and 29 generals. I was then perfectly convinced that Russia must make peace with France. I believe, also, that the Emperor of Russia was sincere in his desire to mediate, if possible, a peace between this country and France; but, at all events, I then believed that peace might have been preserved between Great Britain and Russia. The treaty of Tilsit was signed on the 7th of July. On the 23d of August, I had a conversation with the Emperor at Kaminkostroff. His Imperial Majesty asked me, whether I had not admitted to Count Stragonoff, three days after the battle of Friedland, that it was necessary for him to make peace? I told him that I had done

* According to this statement, one man in twenty must be an officer. The account seems greatly exaggerated. Lord Hutchinson said, in the same speech, he was persuaded there was not a soldier nor a cannon in the Emperor Alexander's dominions that was not called forth in the war. Is it possible that Russia could not bring more than 100,000 men into the field?

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so, that I was of that opinion then, which subsequent events had confirmed; that I thought myself bound in justice to him, and to myself, publicly to avow it, which I should continue to do as long as I lived. His imperial majesty said, We are, then, both agreed on the necessity there was to make peace? I answered in the affirmative. His imperial majesty proceeded to state, that he had offered his mediation to England; that he attached no false vanity (*gloriole* was the French word) to the acceptance or rejection of his mediation; but that it was his most sincere and anxious wish that England should make peace, as he was sure that it was his interest, and also that of Europe, and ours, that we should restore tranquillity to the world. I said to his imperial majesty, that he had not given sufficient time for England to accept or reject his mediation, because a much longer period than a month must elapse before any answer could be received; and though the disposition of my mind inclined towards peace, I, nor no other man in England, would accept it, but on conditions the most reasonable and honourable; and that, as far as we were concerned, the events of the war had been highly favourable.—To which his imperial majesty replied, that the time allowed was of no importance, because we might take three or four months, if we pleased, to accept or reject his mediation: but his anxious wish and desire was, that we should make peace. That he had a perfect knowledge of the feelings and character of the people of England; that he had been made acquainted by Buonaparte with the conditions of peace proposed to be offered, and he had no doubt that even I myself would consider them to be highly reasonable and honourable.—Some confidential conversation followed, which I do not think myself at liberty to disclose; but from what then passed, as I have already stated, I was justified in believing, that the relations of peace and amity might have been preserved between the two countries. It has been stated in another place, that I had given an opinion, that if the attack on Copenhagen had not taken place, Russia would not have gone to war with this country. My lords, I never gave any such opinion, nor do I mean now to say, that if that attack had not been made, there would have been no war with Russia; but I mean to say, that the result of that expedition did materially change the relations between Great Britain and Russia, and give rise to sentiments of a very hostile nature at the court of Petersburgh. Intelligence of the result of the attack on Copenhagen arrived at St Petersburgh on the 27th or 28th of August. On the 4th of September I saw the emperor a second time at Kaminkostroff. His imperial majesty began the conversation by asking me, "what I thought of our attack upon Copenhagen?" I replied, that I was entirely ignorant of the circumstances which had occasioned that attack, but that I hoped the administration in England could justify themselves, and prove to the world that the Danes were on the eve of joining all their forces to the French, to make common cause against England.—His imperial majesty told me in reply, that it was impossible for me to be of that opinion, if I would recollect the repeated conversations which had taken place between us, on the subject of Denmark, at Bartenstein, in which he told me that he had used every

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effort in his power to bring forward the crown prince of Denmark, and to induce him to join the coalition against France; the answers of the prince had always been explicit and uniform, that he had maintained for many years a system of neutrality, in which he was determined to persevere, as the people whom he governed had flourished and prospered under it; and that no consideration should ever induce him to depart from it. His imperial majesty added, that I must be acquainted with the decision of character which belonged to the crown prince, that nothing was so difficult as to shake his determinations, or to induce him to change any line of conduct which he had once adopted; and that he was sure no connection existed between the French and Danish government previous to our attack on Copenhagen.—I then said, that I believed lord G. L. Gower had delivered to his imperial majesty's minister a note on the subject; to which his imperial majesty answered that he had, but that the contents of it were nugatory, as it contained no sufficient explanation, or offer of satisfaction. His imperial majesty then proceeded to state the great concern which our unjustifiable aggression had given him; that the French government never had done any thing so strong—that it justified every thing they had done or might do hereafter. If such proceedings were admissible, there was an end of all those relations which had usually influenced the conduct of nations towards each other; that every body was at liberty to do just what they pleased, and that he might attack Sweden to-morrow. His imperial majesty then told me in the most peremptory language, tone, and manner, that he would have satisfaction, complete satisfaction, for this unprovoked aggression. That it was his duty as emperor of Russia to demand it, and that he would have it; and he asked me whether even I myself would venture to differ with him on that subject? He then said that he was bound to Denmark by the most solemn treaties and engagements, which treaties and engagements he was determined to adhere to and fulfil. His imperial majesty then added, that he supposed we meant to make an attack on Cronstadt; he did not know what the event of that attack might be, but this he knew, that he was determined to resist to the last man, and to prove himself not entirely unworthy of filling that high station to which it had pleased Providence to call him. I told his imperial majesty that I had strong reason to hope and believe, that no attack would be made on Cronstadt. His imperial majesty said he was prepared for such an event, and had taken his determination upon it, which was that which he had before stated to me. He then closed the conversation, by repeating, with much emphasis, that "*he would have satisfaction for Denmark.*"—My lords, after such a declaration, is there any man who can say that the attack upon Copenhagen has not had a considerable effect upon the disposition of the emperor of Russia? I must even think that it formed a principal part of the immediate cause of war with Russia; and I will ask if this was not a good cause? The reason it was not immediately declared, I have reason to believe, was, that Russia had two fleets at sea, and in some measure in our power.—My lords; I cannot sit down without complaining of the

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liberties that have been taken by the English newspapers, with the character of the Emperor of Russia. While in his dominions I repeatedly experienced the most unpleasant sensations, on perusing the false and scandalous animadversions of our public prints. There was a time when such unjustifiable attacks would not have been permitted, or would have been punished. To the good faith, magnanimity, and perseverance of the Emperor Alexander, I wish to bear my testimony. I am persuaded that there was not a soldier nor a cannon in all his dominions, that was not called forth in the war."

This statement was triumphantly appealed to by the opposition, and their partizans. Yet to what does it amount? To this only, that in Lord Hutchinson's opinion, the Emperor Alexander was disposed to be at peace with England before the expedition to Copenhagen, and to the fact that the Expedition was made a pretext for declaring war against us. Russia had no other pretext for an act so absurdly inconsistent with its former policy, and with its own interest; was it to be doubted then, that, having been duped or bribed into such a resolution, she would eagerly catch at so specious a plea? For, as to arguments deduced from the good faith, magnanimity, and perseverance of the Emperor Alexander, this answer suffices; he swore eternal friendship to the King of Prussia, upon the tomb of Frederick the Great, he went to war with France in alliance with that king, and he concluded the war by sharing with France in that king's spoils. Whether he was cajoled into the treaty of Tilsit by the artifices of Bonaparte, or compelled into it by his arms, the inference is equally certain, and in either case he was made subservient to France. The intentions of France respecting the Northern Powers were open and avowed; and, if we had not supplied Alexander with a plea for going to war with us, he would have gone to war without one.

On the same evening, Mr Whitbread, acting in concert with Earl Grey, moved, in the Lower House, for the production of that correspondence with Mr Rist and Mr Garlicke, from which Mr Canning, he asserted, had produced extracts garbled to serve his purpose. Mr Canning replied, he had no objection to produce the note of Mr Rist, since it would tend to throw light on the nature and propriety of the late orders in council. The other correspondence in question he had quoted, not by way of recrimination or imputation upon Earl Grey, but to show that that nobleman had resolved not to suffer the surrender of the Danish fleet to the enemy;—the very opinion and advice which he himself would have suggested in the same circumstances. This he designed to prove by the extract, and this was proved by it. Therefore, he said, as no case whatever had been made out for the production of these papers, he must object to it, chiefly because, if granted, it would go to establish a precedent for publishing all papers and foreign dispatches whatever. There would be no end to distrust; and, from the sample which was now exhibited, there would be no end to the demand and production of papers. These papers were accordingly refused. Yet, on the 26th, Mr Canning himself moved for these very papers, in order, as he said, to correct those misconstructions which had been put upon his conduct and language in

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quoting them. The indecorum, as well as inconsistency, of calling upon the house now to vote for what it had so lately rejected, was strongly and justly censured by the opposition. It was placing the house, said Mr Windham, in a situation of indignity. The papers had been refused on public and private grounds, and were now to be granted because the character of Mr Canning had been touched! They ought to have been produced to clear up the character of the late foreign secretary, equally as well as the present.

When these papers were laid before the public, it appeared that, at the close of the year 1806, the Danish ministry confessed their sense of the precarious tenure of their disturbed existence; but their fears were paramount: that no preparation was made either to resist a sudden attack, or to impede the gradual encroachments, which it was apparent France would continue to make till she could require the exclusion of British ships from Danish ports, and the surrender of the Copenhagen dock-yard, in aid of her purposes against Great Britain: that several of the principal departments, as well as many of the inferior ones, with their dependencies, were filled by persons in a state of delusion and blind attachment to the interests of France. The demand of the Danish navy by France was clearly foreseen at this time by the English court, and our envoy was instructed to declare, that it was impossible for the king to acquiesce in any arrangement, whereby the whole, or any part of it, might be placed at the disposal of the enemy; and that, in case of such an arrangement, his majesty could not avoid taking such measures as would then become indispensible, for the honour of his crown, and the interests of his people. This was to be distinctly and unequivocally stated. But it appeared also from this correspondence, that the Crown Prince was believed to be the only check to the French party, and that the determination of our court had not been announced by Mr Garlicke, because he believed that no proposition respecting the fleet had yet been made to the prince, and that the progress of the French arms had not at that time been such as to suggest an arrangement so incompatible with the sentiments and principles which were known to predominate in that prince's character. From this correspondence, and that with the Danish envoy, which had previously been communicated, it was manifest, that the general policy of Denmark was considered, at that time, as secretly favourable to France, its neutrality consisting in mere assertion, and displaying itself only in remonstrances against the measures of England, and, on the other hand, in the most complete and unqualified acquiescence in every demand which the enemy thought proper to advance.

On the 18th, Lord Sidmouth moved, "That it was highly important to the honour of this country, under the existing circumstances, that no measures be taken with respect to the Danish ships of war now in the possession of his majesty, in consequence of the capitulation, which might preclude the eventual restitution of them to the government of Denmark." He grounded his motion upon the proclamation issued by the British commanders when those ships were required to be held in deposit during the war; an arrangement, he said, to which the court of

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Denmark could not possibly listen without compromising its honour, and exposing itself to the resentment of France, but to the principle of which we were in honour bound to adhere. We did not want the ships; and, even if we had wanted them, it would be more politic, as well as more generous, to hold out this promise of restoring them. Nothing could be so likely to conciliate the Danes, and to bring back the Emperor of Russia to his natural connection with this country; and much was to be expected from the impression which a resolution of such magnanimity, justice, and consistency would make upon the continent. The bitter spirit of hostility in the court of Denmark was urged in opposition to this motion, and the weightier argument, that Russia and France had pledged themselves to obtain a restitution of these ships; pledging ourselves to restore them would, therefore, be yielding to these enemies, and confessing that we had acted unjustly in taking them. The motion was rejected. An opinion prevailed very generally, that Lord Sidmouth spoke the wishes of the crown upon this occasion; but the existing ministry held their power so entirely by the favour of the king, that it is not possible they could have undertaken any measure of importance without his full approbation.

Weary as parliament and as the public were of this subject, it was not yet suffered to rest. Mr Sheridan made a motion on the 25th, *Feb.* 25. for copies or extracts of any correspondence which passed between his majesty's ministers and the Danish *charge d'affaires*, or his secretary, from the date of the capitulation of Copenhagen to their departure, together with the minutes of any verbal communications between the same; copies or extracts of all correspondence with the court of Stockholm relative to the retaining possession of the island of Zealand by a Swedish army, or in concert with his majesty's forces; and also copies of any correspondence which may have past between the courts of Copenhagen and Stockholm relating to the same, and communicated to his majesty's ministers residing at the court of Stockholm. He stated, on the authority of the Moniteur, that, at the very time when ministers were soliciting the Emperor of Russia to mediate between Great Britain and Denmark, they were threatening to despoil Denmark of Norway, and give it to Sweden; and that, after having evacuated Zealand, conformably to the capitulation, they had intended to co-operate with a Swedish garrison in again taking possession of it. The whole matter of the debate was comprest by Earl Temple into this single question, Was there or was there not any negociation with Sweden, or any foreign power, to occupy Zealand after our troops were bound to evacuate it, pursuant to the terms of the capitulation? No answer was made to this; but the motion was rejected upon the sound plea, that the correspondence of our ally the King of Sweden ought not to be made public.

On the 3d of March, Earl Darnley moved an address in the Upper House, to condemn the attack upon Copenhagen as unjust, unnecessary, and impolitic. A counter resolution was proposed by Lord Elliot, and, of course, was carried. On the 21st, Mr Sharp also moved a vote of censure upon ministers for this expedition; he recapitulated the arguments which had been advanced to prove

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that it was unnecessary; and he dwelt more ably and eloquently than had been done before him, upon the consequences of injustice. The motion was rejected; and Mr Stuart Wortley proposed a resolution of thanks to ministers, which was past accordingly. The last discussion of the subject was upon a motion of Lord Folkestone's, similar to that which Lord Sidmouth had brought forward in the House of Lords, that the Danish fleet should eventually be restored. Upon these latter questions, the evangelical party delivered their opinion, which was in favour of the expedition.

There have been few public measures upon which persons accustomed to think alike differed so widely as upon the expedition to Copenhagen; this could not have been the case if its necessity* had been so great as was asserted by the one side, or its injustice so monstrous as it was represented to be by the other. The opposition claimed a triumph, because ministers produced no evidence of the designs of France upon the northern fleets. Yet they who called for evidence must have known, that it ought not to be produced; nor can it be doubted that France would soon have demanded and obtained the Danish navy. Had it been ceded to our expedition without resistance, nothing would have been said in England of the injustice of the measure; it was the dreadful circumstance of bombarding a capital, surprized in time of peace, that startled us, and awakened feelings of horror † and indignation in a very considerable portion of the English people. They would never have called the cause in question if they had not been shocked at the consequences. Believing that evidence of the enemy's designs could not possibly be produced, and that those designs actually existed, and

* No person has argued more vigorously upon this view of the question than Mr Cobbett. "If," says he, "the Danes had been towards us as harmless in their future probable views, and in their past conduct, as they have been mischievous, still, if I had been minister, I would, if they had rejected the proposition made to them, have seized their fleet and arsenals; because, though ever so willing to resist the power of France, it was manifest that they wanted the ability; because, situated as they were with respect to our enemy, it was also manifest that they would have been made use of as instruments in his hands, for the purpose of ensuring our subjugation; and, because, having the power of my country committed to my hands, it is my duty so to employ that power, as to prevent every thing which manifestly tends to its subjugation, let who will suffer from my exertions. And this is no *new morality*. It is morality as old as the hills and the valleys. It is a morality which must be adopted: or we must confess, that there are certain political evils greater than that of seeing one's country conquered."

† A striking instance of the horror with which it was regarded, occurs in Ben. Flower's Political Review. After noticing, with that hearty hatred which he bears to the bishops and the saints, that they all voted in favour of the expedition, he concludes by saying, "It is, however, highly consolatory to reflect, that, let unprincipled statesmen, venal senates, and servile majorities, act and vote as they please, they cannot pluck the Almighty Ruler of nations from his throne, nor overturn the foundations of justice. The cause of injured Denmark is in his hands, who has declared, "*Vengeance is mine, I will repay.*" This worthy and right honest man, strangely wrong-headed as he is about the present war, must have been bitterly angry with his country, when he could derive any consolation from believing that the vengeance of God was about to overtake it!

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would have been successful, I nevertheless regard the expedition as disgraceful and detrimental to Great Britain, unjust because it was unnecessary, and impolitic in every point of view in which it is possible to consider it. We ought not to have hazarded such consequences for such a cause. What if the fleets of the North had been brought out against us—were they more formidable than those which we had so often defeated? Was there an English seaman whose heart would not have leaped for joy in sure and certain expectation of victory, if he had beheld them upon the seas? Less cost of treasure and of life would have been required to destroy the combination than was expended in preventing it; no blood would have been shed but in fair battle; there would have been no stain upon the humanity of England, conquest would have been glorious, and we should have rejoiced in our triumph.

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CHAP. IV.

Questions connected with the Attack upon Copenhagen. Expedition to the Dardanelles. Earl St. Vincent's Mission to Lisbon. Military Co-operation on the Continent. Mr Whitbread's Motion on the Mediation of Russia and Austria. Orders in Council, and Commercial Licences.

The ministers, while they contrasted the success of their expedition to Copenhagen with the failure of their predecessors at Constantinople, justified its principle by that precedent, or rather recriminated upon them the charge of impolicy and injustice. They, on their part, challenged enquiry into this transaction; but the first motion upon this subject was brought forward in a hostile shape by Mr Taylor. Having, he said, at one time, been resident in Turkey, and conversant with the manners of the people and their political attachments, his attention was naturally engaged by the dispatches from his majesty's ambassador and commanders in the Dardanelles, and with every attention that he was able to give, he could neither discover why the armament went, nor why it came away. The British fleet appeared at the entrance of the Dardanelles on the 29th of January, 1807, while the British ambassador was still at Constantinople; the British fleet attacked the castles and forced its passage, burning a Turkish frigate: the British fleet remained twelve days before Constantinople, and then came back the same way without doing any thing farther. This situation was one in which no British officer would wish to remain, nor ought to be suffered to remain, without enquiry. He, therefore, moved for certain papers which would tend to show why our squadron went there, why it came away, and what it had done there.

Feb. 10.

From the papers which were made public in consequence of this motion, it appeared that the counsels of the Porte were entirely under the influence of the French* ambassador Se-

* It is not a little curious, that the official note of this ambassador to the Reis Effendi, was said, in the House of Commons, by a ministerial member, to contain "*much solid reason, and nothing exceptionable.*" That it contained nothing objectionable to a French ear, Mr Thomas Grenville said he did not doubt; but, that a member of the British Parliament should express himself in such a manner with respect to it, was a circumstance, he confessed, that "he could not have believed, had he not witnessed. The note was full of the violence and insolence which abounded in the numerous compositions of French diplomacy." The following extract will sufficiently prove the justice of Mr Grenville's remark:—"If, in these difficult circumstances, the Porte does not form a true estimate of her dangers and of her force, if she does not form the decision her interests require of her, I shall perhaps ere long have to lament her fate.—The undersigned has received the most positive orders from his Majesty the Emperor of the French, King of Italy, to declare to the Sublime Porte, that not only the principles of friendship, but those of the strictest neu-

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bastiani. By the regulations concerning Moldavia and Wallachia, which were agreed upon with Russia in the year 1802, the term of the continuance of the Hospodars in their governments was fixed for seven years. If, the regulation stated, they are not guilty of any open offences, they shall not be displaced before that term is expired; if they do commit any offence during that time, the Sublime Porte will inform the minister of Russia of the circumstance; and if, after due examination is made into the affair on both sides, it shall appear that the Hospodar "has really committed an offence, in that case only his deposition shall be allowed." Both these Hospodars were now displaced at the instigation of the French ambassador, without any appeal to Russia, or any accusation being made

trality, require that the Bosphorus should be shut against all Russian ships of war, as well as against every other vessel of that nation, bringing troops, ammunition, or provisions; and that the said passage cannot be opened to them without committing an act of hostility against France, and without giving his Majesty, Napoleon the Great, a right of passage over the territories of the Ottoman empire, in order to combat with the Russian army on the banks of the Dniester.—Any renewal or continuation of alliance with the enemies of France, such as England and Russia, would be not only a manifest violation of the neutrality, but an accession on the part of the Sublime Porte to the war which those powers wage against France, and his majesty would see himself compelled to take measures conformable to his interests and his dignity.—The Sublime Porte cannot maintain her relations with two missions from Naples, and his Majesty the Emperor of the French cannot suffer his august brother, Napoleon Joseph, King of Naples and the two Sicilies, to meet with difficulties here which he does not experience from any power in amity with France.—His Majesty, the Emperor, has a large army in Dalmatia: this army is collected for the defence of the Ottoman empire, unless an equivocal conduct, on the part of the Porte, and a condescension towards Russia and England, which might again throw her into their power, should compel his Majesty, the Emperor of the French, to bring forward his formidable forces for a purpose totally opposite to that which he had in view.—His majesty has ordered the undersigned to state to the Sublime Porte, in the most friendly, though energetic manner, these demands, for the purpose of obtaining an answer in writing; and, it is expected that this answer shall be positive and categorical.—No further delay can be allowed; and his majesty has no doubt that the Sublime Porte will give him the assurances he desires, and which are so much in unison with the interests of the Ottoman empire.—The undersigned has no wish to make a vain display of the formidable forces of the great Napoleon; his friends know how to estimate their importance; his enemies have felt their power.—The genius of his august master is well known; his determinations are wise and prompt, his personal attachment to his highness is sincere. He only seeks the independence, the integrity, and the glory of Turkey. He desires nothing. He asks nothing. What inducements to an union with him! At the same time what reason to apprehend the loss of his good-will by adopting a timid, uncertain, or inimical line of conduct! Under these circumstances, the answer of the Sublime Porte will regulate the conduct of my august master. Let not the threats of the enemies of France impose upon the Sublime Porte; they have been vanquished, and they will ever be so. The great Napoleon will employ all his resources for the glory of his highness, Selim III. his friend; and his resources are immense, his genius is still greater.—This note is of sufficient importance to be submitted to the profound wisdom of his majesty, the emperor, Selim III: and your excellency is requested to take the earliest opportunity of laying it before him. The undersigned &c. HORACE SEBASTIANI."

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against them. This was a direct and manifest breach of treaty. The Russian minister remonstrated; and, as he refused to listen to any thing but the immediate and unconditional restoration of the Hospodars, his demand was granted; but this concession, as it afterwards appeared, was a mere artifice for the purpose of gaining time. The free passage of the Bosphorus for Russian ships was still in dispute; and while Sebastiani demanded that this should be shut, and threatened Turkey with the vengeance of Buonaparte in case of a refusal, our ambassador was instructed to declare that there could be but little hope of preserving the relations of amity between Great Britain and Turkey, while a minister,* whose influence had already been so prejudicial to the friendship subsisting between them, was suffered to remain at Constantinople. His removal, therefore, was to be urged in the strongest manner, as of the greatest importance to the preservation of a good understanding between the two powers. A naval force was to be sent to Constantinople, to give weight to, and, if necessary, to enforce an acquiescence in this representation. It was left to the ambassador, Mr Arbuthnot, to determine whether it were prudent immediately to avow this intention; and he was duly to take into consideration the danger to which the persons and properties of the British subjects in Turkey might be exposed, from the violence of a government restrained by none of those rules of conduct which govern civilized nations. The squadron arrived, the removal of Sebastiani was demanded, the Porte was called upon to make her choice between France and England, and the recollection of what Russian armies had atchieved, and British fleets had been known to execute, was suggested in order to influence her determination.†

Thus threatened on both sides, the Turk preferred siding with France, more, perhaps, from his hatred to Russia, than from any disinclination towards England. Sebastiani was decorated with the insignia of that order which had been instituted by the Sultan as a token of gratitude to the King of Great Britain, and as a lasting memorial of the recovery of Egypt from the French by British troops: he was desired to station the Turkish ships where their range of shot would be most destructive, and to mark out the places where new batteries should be raised. Captain Capel of the Endymion, the only vessel which was lying before the city, began with good reason to be alarmed, and Mr Arbuthnot being plainly told by the Reis Effendi, that it would be extremely embarrassing for the Porte, if he held any communication with the admiral, had the fear of the Seven Towers before his eyes. He received indeed secret information of what was sufficiently probable, that it was intended to seize him and all the factory as hostages. Upon this he concerted means with Captain Capel for securing an escape; the British subjects were invited to dine on board; orders were given that no one who entered the ship should be allowed to leave it; and, when they were all collected there, the ambassador went on board himself, and informed them that he was about to withdraw and take them with him.

* Lord Howick's Dispatch, Nov. 14th, 1806.

† Mr Arbuthnot's Letter to the Reis Effendi.

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Hopes of peace being at an end, he said, they could have expected nothing less than the loss of all their property and imprisonment; but, by the measure now taken, their persons would, at any rate, be placed in safety. They who had been well aware of their danger, congratulated themselves on being thus unexpectedly delivered; and, as soon as it was dark, the captain ordered his cables to be cut. There was some reason to apprehend that the Capitan Pacha, who was with the Turkish fleet, might detain them; he, however, returned their salute, and suffered them to pass. Indeed it is not improbable that Sebastiani's plans were so laid as to induce our ambassador to quit the field to him, and that the threat of detaining him was thrown out in order to make him go. It answered the purpose of the Porte better to express its "great surprise at the ambassador's running away by night, without waiting for an answer to his unprecedented proposition; a proposition made in terms of an equally unpalatable tenor,"* than it would have done to have had him prisoner in the Seven Towers.

These circumstances were detailed in the papers now laid before parliament. Our subsequent attempt to intimidate the Porte by force of arms had failed; and, when the tidings arrived in England, the English people, for the first time, felt the consequences of the loss of our great Nelson. To what this unexpected and disgraceful failure was to be imputed, had never yet been explained; no enquiry had been instituted; no one had been called to account, and the present papers threw no light whatever upon the subject. Mr Taylor did not pursue his motion, and nothing followed for three months, till Colonel Wood moved for a copy of the log-book of the Royal George, (Admiral Duckworth's ship,) kept by Captain Dunn, from the 19th to the 23d of February, both days inclusive. In reply to this, Admiral Harvey complimented Admiral Duckworth in high terms, saying, he wished it had fallen to his lot to pass the Dardanelles in the same circumstances, for he certainly should have considered it as a feather in his cap as long as he lived. He expressed his surprise that a copy of the admiral's log-book was not moved for instead of the captain's. Mr Perceval, who was evidently unwilling that any investigation should be instituted, did not think sufficient reason had been given for the production of the paper; at any rate, he did not see why the log-book of the Royal George should be particularly singled out, and, if information was wanted, why all the log-books of the squadron were not called for. To this Colonel Wood replied, that he had no objection to the production of all the log-books. It was notorious, he said, that the expedition to the Dardanelles had failed of its object, and, as had been given out, from the state of the winds and currents; it was of importance then that the house should know what really was the state of the winds and currents at that time; which could only be done, in a satisfactory way, by the production of one of the captain's log-books, who was employed on the expedition. It was extremely desirable that the house should know whether the expedition failed from misconduct, or from unavoidable causes; and, if it did

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* Turkish Note, 25th Zilkaade, 1221, Feb. 4th, 1807.

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fail from misconduct, whether the Admiralty, Lord Collingwood, or Admiral Duckworth, was to blame.

The question was put off for a week, that some of Admiral Duckworth's friends might be present to defend him. When it was renewed, Colonel Wood briefly and forcibly stated the importance of the expedition, in comparison of the failure, of which, he said, the loss of every ship in the squadron would have been a trifling and inconsiderable national calamity. Immediately after the passing of the Dardanelles, had our fleet carried the intelligence of this exploit, as well as of the destruction of the Turkish fleet, to Constantinople within twelve hours after it had happened, (which, from every information he had been able to obtain, he was of opinion might easily have been done,) the confusion and consternation would have been so great, that the English admiral might have prescribed any terms he pleased. The delivering up of Sebastiani, the occupation of the forts of the Dardanelles, and the renewal of the ancient alliance between England and the Ottoman Porte, would not only have been the immediate consequence, but the Russians and Turks would once more have been friends; and General Michelson, with sixty thousand Russians, have been enabled to have taken part in the battle of Eylau and Friedland, which decided the fate of Europe. As the cause of the total failure of this expedition, Sir John Duckworth assigns 'the unfortunate state of the winds and currents.' How then could that house discharge its duty without enquiring into the state of the weather at that time; and how was that to be seen in any manner more equitable than in the captain's log of the admiral's own ship? He, himself, possessed an accurate copy of it; to him, therefore, it was very immaterial in what manner the motion was disposed of. But it was totally impossible for the house to form any opinion how far the failure of this great and most important expedition was owing to the defect of the plan, to that of the instructions, to the inadequacy of the force, or to the unfortunate state of the winds and weather, unless the necessary documents were laid before it.

May 16.

There was so little disposition in the house to pursue Colonel Wood's enquiry, that he withdrew his motion; and thus the disgraceful failure of this expedition passed without investigation. The circumstance indeed was twelve months old, and acts of misconduct in the management of war need no statute of limitation, in this country, to secure indemnity to their perpetrators, if they be not immediately brought to trial. Folly succeeds folly, and disgrace follows so close upon disgrace, that the grief and indignation of the people are called off by some new disaster, before they have obtained vengeance for the last; and the shame of every wretched expedition is sure soon to be forgotten in the fresher ignominy of that which succeeds it. We have an army composed of the best soldiers in the world, we have a navy capable of conveying that army at all times wherever it is required, and which might give it almost the effect of omnipresence; and, yet, such has ever been the want of wisdom for the future, and of justice for the past, that new expeditions excite in the people of England no other expectation than that of new disasters.

The conduct of the late ministry towards the Porte had been pleaded

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by the present administration, as a precedent for the principle upon which they had acted towards the Danes. They had, for the same purpose, triumphantly quoted the instructions given to Earls Roslyn and St Vincent, respecting their mission to Portugal. This charge was strenuously repelled; and, in order, as was supposed, effectually to disprove it, Mr Abercromby moved that these instructions should be laid be-
Feb. 15. fore the house. The papers accordingly were produced, and it appeared that they had been fairly represented by Mr Canning. The instructions were, if Portugal was either unwilling or unable, (even with our assistance,) to defend herself, to seize the Portuguese fleet; and the reason why this had not been done was, because the report that a French force had assembled at Bayonne, for the subjugation of that kingdom, was not confirmed, and the necessity, therefore, for so violent a measure was no longer thought to exist. But, though the principle of these instructions was the same as that of the expedition to Copenhagen, there was a material difference in the circumstances; the other alternatives proposed to the court of Lisbon, being such as it became us to propose to our oldest and most faithful ally, friendly in the highest degree, consistent with its honour; and, if the supposed necessity had existed, essential to its preservation.

More interesting discussions took place upon the mediation of Russia and Austria. Earl Grey,
Feb. 11. in moving for additional papers upon this subject, blamed the rejection of the Austrian offer. He admitted, that he was not disposed, under all the circumstances, to find much fault with ministers for refusing the proposal from Russia. There were, he said, in the Russian declaration, three specific charges, which affected the honour and character of England; the refusal to lend any military assistance to Russia; the refusal to facilitate the negociation of a loan in this country, and the vexations suffered by the commerce of Russia. Of these three charges, the last only was repelled in his majesty's declaration; the two first were passed over with that perfect silence which implied an acquiescence in their truth. The first of these was the most serious; it was one of the chief accusations against the administration, of which he had formed a part, and had been pressed upon them by their opponents in all possible shapes. But what, said he, could five and twenty or thirty thousand men, the most which could have been spared by this country, have effected? The Russians too were so deficient in arrangements, that they were often in want of provisions; they had neglected to establish magazines; and the accession of such a force, instead of being an advantage, would only have added to their embarrassment. The other charge was even more easily answered: Russia proposed to make a loan of six millions; she offered, as security, that the duties levied in that country upon the importation of British goods, should be made payable here as an export duty; but this being a duty of a precarious and uncertain nature, was not accepted; the lenders would accept of nothing short of a guarantee of the government, and that, for many reasons, could not be granted.

These arguments, in defence of their utter inaction during the great stand which was made by Russia, were enforced by other members of

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the late administration. Lord Moira declared, that the greatest force which had ever been spoken of as possible, was thirty thousand British troops, and fifteen thousand Swedes; in sending them, he said, our risk would not be merely an army, but it would be *the army* of Great Britain. The fact was, he said, the late ministers were convinced, upon the fullest consideration, that the troops which they could send were not likely to produce any important effect, and that there was only one chance remaining for Europe. To that one chance they paid the utmost attention. That chance was, that Austria might be brought to move; and, that if the Austrian army marched down to the Lower Elbe, behind the communications of the French army, in that case Europe would have had a fair chance for deliverance; and, in that case, they would have been prepared to co-operate with a military force. Lord Hutchinson also declared, that, during the whole campaign, the French had every kind of advantage over their enemies; and that, as soon as he found the Russians were not likely to advance, he was decidedly of opinion that we ought not to send a single man to the continent. These exculpations were of less weight than the charge made by Lord Hawkesbury against the late ministers. He did not, he said, charge them with any positive breach of promise, or violation of any express assurance of co-operation: but they had held out a hope, and induced a belief in the allies, that it was their intention to co-operate. Those hopes and expectations had been deceived; and the continent was now taught to look upon this country as a nation that goaded others, but which avoided partaking in the dangers and losses of a continental war. Better had it been to hazard a loss of troops, than to lose our national honour, and be considered a people who would involve others in dangers which we ourselves would decline. The late ministers had been wrong in talking of co-operation, when they had made no preparations for that purpose.

No papers had yet been produced of such importance as these;—the late administration had called for them, but they justified the present ministry to the full extent of their assertions, that the ill-will of the Emperor of Russia towards England, was primarily occasioned by the total disappointment of all his hopes of assistance from us. Dispatch after dispatch from our minister at Petersburgh prest this upon Lord Howick. I must not conceal, says one,* that the apparent silence of his majesty's government, respecting a military diversion on the coast of France, has not produced a favourable effect on the opinion either of the ministers or the public of this country. Baron Budberg, it is said, in another, complained of the situation in which Russia was placed, being left to combat alone against France, without either support on one side, or diversion on the other.† General Budberg‡ seized every occasion of complaining of the Russians being left without military assistance on the part of Great Britain. An attack on any part of the coast of France, or even the alarm of an attack promulgated with confidence,

* Mr Stuart, Jan. 14th, 1807. † Marquis Douglas, Jan. 26th, 1807.
‡ Do. Feb. 4th.

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would tend to relieve Russia from the concentrated forces of the French army.* His excellency said, that the Court of Petersburgh was entitled to expect some efforts which might divert the attention of the French government.† "I cannot sufficiently express the extreme anxiety felt here that some expedition should be undertaken by Great Britain, to divert the general concentration of the French troops from the banks of the Vistula." Every dispatch was to the same effect. Not only were the natural and just demands of Russia for assistance thus repeatedly enforced, but the danger of disappointing them was also pointed out. "It has been forcibly put to the Emperor," says the Marquis of Douglas, "that Russia is abandoned by her friends; that the whole contest is left to her; and that even her intimate ally, Great Britain, neglects to support her, at a crisis when any reverse of fortune might endanger the empire itself. It is the more painful to me that such insinuations should appear for a moment to be justified by fact, because I know how little they are deserved, and how different they are from those feelings that both actuate the government and the country at large. It is for his majesty's government to decide what are the objects of their present policy, and what are the means most likely to secure those objects; but I should neglect my duty if I did not observe, that, should no effort be made this spring by the British troops, it is more than probable that the above observations will recur in full vigour to his imperial majesty's mind; if so, I need not point out what will be the probable result. England, I am aware, may secure herself; but I am convinced that his majesty's government feels too much for the honour of the country and the future happiness of Europe, to compromise, for partial views, a prospect of general and permanent welfare."

A specific object had been proposed by the Prussian government to Lord Hutchinson. Marshal Mortier was blockading Stralsund with about twenty thousand men. It was proposed that the British and Swedish troops should, in conjunction, force him to raise that blockade, and moving, on the left bank of the Oder, threaten the communications on the rear of the French army. They might besiege Strettin, a large place, with a small garrison, and in a bad state of defence; were that taken, the communication with Berlin, the Elbe, and the rest of Germany, would be at once open. If the French remained in Poland, a considerable force acting in this manner, on their rear, would create the most serious embarrassments, and probably force them to evacuate Poland; or, at least, oblige them to detach such a number of troops as would soon leave them inferior to the allies. In this proposed operation there was little danger, for the British would always have their retreat upon Stralsund open, and from thence into the Isle of Rugen. Even Lord Hutchinson declared it as his opinion, in communicating the project, that it appeared to him highly advantageous, and only attended with the ordinary risks of war, as, in every event, the retreat of the troops would not be hazardous. He told the Prussian Court‡ that he was convinced the British government meant

* Marquis Douglas, Feb. 8th. † Do. Feb. 15th. ‡ Lord Hutchinson's Dispatch, March 9th, 1807.

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to make a strong diversion in favour of the allies, and that he was empowered to give them the strongest assurances upon that subject. Marquis Douglas frequently* expatiated to the Russian court upon the activity of England: and Lord Howick instructed him† to assure the Russian ministers, that the government was industriously employed in preparing the means of still more active co-operation! Yet it was now avowed by this very Lord Howick, that no co-operation whatever had been intended, unless Austria should take part in the war.

Here then was a sufficient explanation of the Emperor Alexander's hostile feelings towards England, without referring to the expedition against Copenhagen. Unquestionably he was entitled to expect aid from this country, and every kind of aid had been withheld from him. He asked to negociate a loan of six millions here, offering the best security which he could give. It was admitted by Mr Canning, that the negociation of such a loan must, after the experience which we have had, be considered as entailing a great risk on us, if not, ultimately, a burden. But, said he, there was a wide difference between refusing that loan and doing nothing; we might have declined making so considerable an exertion, without disappointing Russia, by leaving her altogether without help. Had we agreed to raise four millions, or three millions, or even two millions, (for which, of course, provision must have been made as for a subsidy,) we should, at least, have gratified the feelings of the Emperor Alexander. A complete refusal was the more censurable, as no power on the continent had been so uniformly faithful to its pecuniary engagements as Russia. Even the wants of the Russian army were so pressing towards the latter end of the campaign, that Lord Hutchinson, in the sound exercise of the discretion with which he was invested, advanced the miserable sum of 30,000l. to relieve them from their embarrassment, and that money was repaid since Russia declared war against us; an instance of honour, on the part of a government, to which it would be difficult to produce a parallel.

Thus strongly were the charges of misconduct, against the late ministry, confirmed by the papers respecting military co-operation; from those which related to the proposed mediation of Russia and Austria, Mr Whitbread formed a charge against the present. Mr Whitbread's character stood high both in the house and in the country. Declining all participation in the spoils, when his party came into power, his character for independence was unimpeached; and, by coming forward as the accuser of Lord Melville, he acquired a degree of influence and importance, which had not been lessened by the result of the consequent impeachment. On that occasion Mr Whitbread had given sufficient proof that he was capable of vindictive feelings, and that he could use the language of indignation; but it was his custom always to deprecate such language towards the Emperor Napoleon and, by some strange perversity of mind, he was at all times ready to undertake his defence, or to pronounce his panegyric. Accordingly he proposed a vote of censure upon ministers for having rejected the offered mediation, and moved a reso

* Dispatch, March 22d.

† Dispatch, March 10th.

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lation, that there was "nothing in the present state of the war which ought to preclude his majesty from embracing any fair opportunity of acceding to, or commencing, a negociation with the enemy."

Feb. 29. This motion he introduced by a speech of extraordinary length, in which, arguing upon the same principles as Mr Roscoe, he defended the propriety and policy of the petitions for peace. The present ministry, he said, were extremely unwilling to negociate, and he was desirous that they should be forced to make an experiment which had never yet been tried. It was absurd to suppose that the petitions could give encouragement to the enemy. He must be acquainted with the state of the country, and, if he were not, the very attempt to put down petitions, would prove to him two things; first, that the distress actually existed; and, secondly, that government was afraid of its being known. The fact was revealed by the very attempt to conceal it. He proceeded to say, that we had no possible means of carrying on the war offensively; that the contest of commercial privation was preposterous; and that the suspension of our commerce could not be borne beyond a certain period. He then entered into an examination of the correspondence with Russia and Austria, hunting out flaws on the part of the English, seeing nothing in the conduct of our ministers but what was arrogant and insincere, nothing but disinterested good-will, and the unbiassed desire of peace on earth, in the mediating powers; and, in Buonaparte, nothing but truth, moderation, and magnanimity. His character, he said, had been greatly misunderstood; and at no time had he been treated with the consideration due to the situation which he occupies, and to the atchievements which he has performed.

"I cannot help observing," said Mr Whitbread, "upon the sort of personal hatred and antipathy towards the French Emperor, which appears to prevail in the minds of a large part of the community, as if each man had a personal quarrel with him. The origin of this feeling is to be traced to the various endeavours which have been made to excite the public hatred from the moment he attained the consular power. It argues a great degeneracy of national character, and it has given rise to many very disgraceful publications. A national antipathy, founded upon the crimes perpetrated by the chief of a government, whether crimes of state, or of a more private nature, can be no ground for a continuation of war between two countries. The murder of Don Carlos, by Philip II. of Spain, was never urged as a cause of war against Spain. The execution of the Czarowitz Alexis, by Peter the Great, was never considered as a just cause of hostility against Russia. The punishment of the crimes of princes is in the hand of the Ruler of Princes; and it is not for us to make them the cause of punishment to their guiltless people and our own. I fear there is nothing in the particular purity of this country, which can justify us in saying, that we will have nothing to do with the government of France If France be loaded with political crimes, so are we; and the ruler of that country, for every charge which is preferred against him, might show that his accusers have been guilty of a parallel crime."

As this speech was the longest which was made during the whole session, so was it the most remarkable. Mr Whitbread spoke of the insanity of those persons who main-

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tained that peace was more dangerous than war; but, since Mr Halhed's motion in favour of Brothers, the self-styled prophet, no reasoning so insane as his own had been heard in the House of Commons. He seemed as if he were utterly ignorant of those crimes which Napoleon Buonaparte has committed, not like Philip II. and the Czar Peter against members of their own family, under a belief that it was necessary to the welfare of the state to cut them off, (a belief well founded in the case of the Czarowitz, and which would have been so in that of the Infante, if the Catholic religion were true;) but against the law of nations, in which all nations are interested; the rights of neutral and of friendly states; the security of peaceable individuals; the faith of treaties; and those common principles of honour, courtesy, and humanity, which, till his baleful ascendancy, distinguished the warfare of Europeans from that of barbarians and savages. The English travellers detained in France; Toussaint seized and imprisoned in violation of treaty; the wife of Toussaint crippled by the torture; the Duke d'Enghien dragged from a neutral territory, and murdered by the light of torches at midnight, according to the mockery of martial law; an English officer put to death in prison; and the open execution of Palm, the free citizen of a free state, for having published a book to warn all Germany against the designs of this bloody, perfidious, and remorseless tyrant:—Had Mr Whitbread lived in ignorance of these things? or, knowing them, on what foundation could he assert that Buonaparte, for every charge preferred against him, might show that his accusers have been guilty of a parallel crime? Where has he learnt that princes are answerable for their crimes only to the Ruler of Princes? in his Bible, in the writings of antiquity, or in the history of his own country? In which of his whig authorities has he found this faith?—Or does he fancy himself in the situation of Cassandra, and looking on to the subjugation of England as the event which must follow the rejection of his warning voice, has he been studying the creed of Sir Robert Filmer, that he may be perfect in the doctrine of passive obedience; and, becoming the Daniel of our captivity, be "made ruler by the Great King over the whole province, and chief of the governors over all the wise men?" Thus indignantly did those persons express themselves who felt that Mr Whitbread insulted the common sense of the country, by assertions as unqualified as they were unwarranted and unwarrantable.

Mr Ponsonby, though allowing more weight to Mr Whitbread's arguments than they possessed, opposed his motion, upon the ground, that, instead of promoting peace, it would have the effect of prolonging the war; and that, if an ambassador were sent to France to solicit peace, in consequence of the pressure on our manufactures, Buonaparte would consider us, and well he might, as a conquered nation. Fifty-eight members, however, were found who voted for this ill-timed and disgraceful motion. None either of the Grenville or Sidmouth party were in the list. Sir Francis Burdett voted with Mr Whitbread; it is not the only instance in which he has appeared inconsistent; his zeal for reform, sincere as it is, would be less liable to calumny, if he discovered more regard for the honour of England, and more feeling for the liberty of Europe.

Much time, during the early part of the session, was consumed in these

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debates, upon the expedition to Copenhagen, and the subjects which it implicated. The orders in council were not less obstinately contested. The present ministry, when out of place, had pursued a system of harrassing and vexatious opposition, which was now fully retaliated upon them. Night after night the discussion was renewed; and, upon every separate debate, the lights in Westminster Hall were to be seen burning till morning. What leisure can a ministry have for the important duties of their station, whose whole powers of mind must be employed in haranguing about what they have done, instead of arranging what they are to do! His days, occupied in the office with the business of such an empire, in such times, and his nights consumed in fruitless debates in parliament, the iron frame of Talus is as necessary for an actual minister of state, as his moral inflexibility is for an ideal one. Many reforms in the constitution of parliament have been proposed; a regulation which should exempt the efficient ministers from this wasting fatigue, would be one of the most beneficial. They might present their reports to the house, and leave the house to discuss them.

Lord Grenville, in the debate upon the King's speech, had shown what ground would be taken in opposing these orders of council. He affirmed, that the ministers could not, upon the King's authority, constitutionally decree such extraordinary prohibitions, and that they had actually violated an article of Magna Charta. *Jan. 27.* No ministers, it was said, had ventured to give such advice to the crown, since the reign of James II. when that monarch was advised that he had a power to dispense with the laws of the country. The exercise of the prerogative was limited by fixed rules, and the court of privy council was subject to the law of nations, which law was broken by the present orders. These arguments were enforced with much ability by Lord Grenville in the upper, and by Lord Henry Petty in the lower house. But, alas! the law of nations was extinct. The law of the strongest, which had often been acted upon in its stead, was now proclaimed by the enemy; and to call up the ghost of Magna Charta against a ministry, is as hopeless as it is to oppose Puffendorf to Buonaparte;--- majorities are as little influenced by the one as armies by the other. All arguments from the law of nations therefore were futile; and the other objection amounted only to this, that ministers ought to come to parliament for a bill of indemnity. This, had they supposed their proceedings required it, they would of course have done, as it was only to ask and have.* But this they absolutely denied. *Feb. 5.* The statutes which were infringed, they said, related to a state of peace and not of war, and the measures in question were measures of war, which the King was entitled by prerogative to take.

It was said by Lord Hawkesbury, that, when the French decree was published, there *Feb. 15.* appeared to him to be two courses, one of which might be taken; either to consider that decree as idle words, and to treat it with contempt; or to look upon it as a substantial measure, calculated to injure the interests of this country, and justifying measures of retaliation. The

* Mr Perceval.

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former would have been least inconvenient to ourselves, most dignified, and most humiliating to the enemy. And this, perhaps, Lord Hawkesbury might have preferred, but the choice was made by the last administration. They, said the advocates of the measure, did not think proper to pass it over with silent contempt; they exercised the right of retaliation, and distinctly asserted that the principle on which their order of January 7th, 1807, proceeded, was not farther extended, because at that time a farther extension was unnecessary; but that nothing would prevent such an extension, should it become requisite. Denmark remonstrated against it, and even went so far as to say she would resist it; and the president of the United States described it as a gross violation of the law of nations. The same principle then was avowed and acted upon by those very persons when in power, who now inveighed against it so loudly when out of power; and the same complaints were then made by neutral nations, which the opposition appeared to stand so much in fear of at present. But the principle was incontrovertible; we were completely justified in retaliating upon the enemy their own measure; if they declare that we shall have no trade, we have a right to declare that they shall have none, and we have the power to enforce our decrees.* Till these orders in council were issued, France enjoyed as great advantages of trade by the assistance of neutrals, as we possessed with our triumphant navy. Our navy indeed as belligerent was neutralized, and rendered useless by the neutral ships carrying to France all that it was important for France to obtain. If France could continue to enjoy all the advantages of commerce, through the neutral trade, while we were suffering every injury that could result from her decrees,† she would have no motive to peace; but Europe may be made to feel that a maritime power is much less dependent upon the continent, than the continent is upon the maritime power: And, that this was felt, was proved by M. Cretet's circular letter; and by the learned societies of the continent having been called on to offer important and honourable rewards for the solution of this question, "What is the best means of supplying the place of those colonial commodities which are most in demand, and to which we have been most accustomed, by products of the continent."

It was more easy to defend the principle of these orders in council than it was to understand their detail. Lord Auckland declared, he had given the subject a great deal of attention; he had bestowed much time upon it, and called to his assistance, persons experienced in the knowledge of that department to which the orders referred; yet, he professed to God, that he was still totally unable to ascertain their motive and drift. And Lord Grenville affirmed, that in four clauses of the same paragraph, they contained four direct contradictions. He, however, believed, that, after much study, he had at last found out what they meant to express; and he was not a little proud of the solution of such a pro-

Jan. 27.

Feb. 15.

* Mr Perceval, Feb. 5th.

† Sir William Grant, Feb. 5th.

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blem. Divines and philosophers have sometimes been complained of for obscurity, but no obscurity is equal to that of our act of parliament makers: no other authors have ever exhibited so perfect a style of confusion, worse confounded.* The detail gave occasion to some pitiful debates upon jesuit's bark, that being among the articles which ministry resolved to tax, before it entered an enemy's port. Mr Whitbread exclaimed, that this was not merely childish and nugatory, but it was detestable; for it was waging war with the sick, the helpless, and the † hospitals; and Mr Wilberforce said it was a measure which might possibly excite a more general union of hatred against the English nation among all ranks of the French people; it might add to the ferocity and unfeeling character of the contest, but it could not possibly be the means of putting an end to it. Pitiful as the question was—absolutely beneath notice in whatever light it be contemplated,---it was the subject of several discussions in the imperial parliament of Great Britain at this important time.

Feb. 24.

The main body of the people, and even of the merchants, were decidedly in favour of these orders in council, as they would be of any measure which was thought necessary for upholding the honour of the country, asserting our dominion of the seas, and continuing the war against Buonaparte. But there were many persons whose interests were immediately affected, and that to a material

* Cobbett, who was the best defender of these orders, speaks of them in the same manner. "After volumes have been spoken and written upon the subject," he says, "there are very few persons who seem to have a clear idea of what these famous orders are, or of the effect which they are intended to produce. In spite, therefore, of the stultifying effect of the many speeches which I have read relative to these orders, I will endeavour to communicate to the reader my ideas respecting them, which I shall do, however, with great diffidence, being far from certain, that my knowledge of the matter is not equal to that of almost any one of the orators whose speeches I have read."

† "If you prevent the removal of disease," said Mr Whitbread, "you must, on the same principle, wish its increase, and this principle would lead to the promotion of pestilence, poison, and assassination." "No, sir," replies Cobbett, "though I approve of the bill, I do not wish to prevent the removal of disease, any more than you wish to prevent the removal of thirst by charging sixpence a pot for your porter, when you see many poor wretches who cannot possibly get it at that price. You cannot, I dare say, sell your porter cheaper, without danger to your fortune; nor can we suffer the bark to go to France, without danger to our fortunes as a nation, because the same argument which will apply to the bark will apply to every other article; the very object of the bill being to produce suffering and distress among those who are leagued together, whether willingly or not, for our destruction. You, sir, like Mr Roscoe, never seem to recollect, that the enemy has it all times in his power to put an end to this "inhuman mode of warfare," and that, too, by the simplest of all means, namely, *that of ceasing to carry it on himself.*" "To the whole of the measure," says this vehement writer, "there *might* be some solid objections, for I have observed none such. The measure is a most important one; it is in deed, though not in word, a practical assertion of the *sovereignty of the sea.* As such it is noticed upon by other nations; and the only fault of it is, that it was not adopted under that *name*, and that the duties now to be imposed were not denominated a tax."

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degree. A petition against the orders was brought up from Liverpool; a meeting, for the same purpose, of persons concerned in the trade with America, was convoked in London; the majority declared themselves supporters of the measure; the minority, however, framed a petition, and they and the Liverpool deputies, after some delays, occasioned by a point of form, were heard by counsel before the house, and their witnesses examined. The bill passed, notwithstanding this opposition.

Few measures have ever been so long and so pertinaciously contested in parliament; nearly fifty days, or rather nights, of the session were consumed in discussion upon it, till the public attention, which had never been actively excited, was utterly exhausted, and the very newspapers flagged in the task of reporting arguments that had been repeated till they were worn thread bare. It was said in the House of Commons, that the question involved in these orders was of vital importance to the prosperity, and even to the existence of the country: that, if considered merely in their effect upon the trade of the country, it was one of the most stupendous questions that ever had been agitated. It involved, not a matter of subordinate regulation, not the prosperity of one branch of trade, but the commerce of the whole world; that commerce on which the prosperity, and the very existence of England, in its present circumstances, depended.* Yet this measure had no sooner passed, than it was forgotten by the people, and England continued to exist and prosper. Party-politicians resemble pseudo-prophets, their day of judgment is always at hand; and, repeatedly as their predictions fail and are falsified, they go on predicting with unabated confidence.

Savages have been known to carry on trade and war with their enemies at the same time. Something of this kind has been done by European nations: during the last war many of the French armies were supplied with English cloathing and English firelocks it is, however, curious, that, at the very time when these orders of council were enacted, and the avowed system was that of distressing the enemy by destroying his commerce, licenses should have been granted, exempting ships from those very orders, and enabling them to trade with France This practice was carried to such an extent, that Mr Horner brought the subject before parliament, upon the ground that it was necessary to ascertain its limits: and, if that was not possible to prescribe such as both the principles of commercial law and constitutional policy required; both of which were violated by the unrestrained privilege. With regard to the first, he said, undoubtedly it was not politic to throw the entire direction of our commercial intercourse into the hands of the executive government:---there was no uniform ground upon which to claim such licences; nor was there any recognized principle by which the persons to whom they might be refused could ascertain whether they were partially aggrieved, or whether the benefits of such a licence were withheld from them for sufficient reasons; and the unlimited practice of granting them was contrary to the principles of constitutional laws, that no money should be

Jan.29

* Mr Tierney, Feb. 24th.

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taken from the subject, except by the legislative power. At present, almost the whole of the foreign trade was carried on by means of these licences, for which fees, and very considerable ones, were received at the Privy Council Office. These fees were unauthorised by parliament, and amounted to a direct impost and taxation on foreign commerce. He moved, therefore, for a list of all the licences which had been granted from the beginning of the war to the end of the last year.

To this Mr Rose replied, that the fees of office, or granting licences, amounted, for a whole cargo, to merely 14l.* State fees, he said, were much less liable to abuse than gratuities, which he should set his face against in every department. Indeed there was no one existing abuse which he was more anxious to put a check to than the system of gratuities. He would join with any member in annexing to it a punishment reasonably rigorous, and even go so far as to subject it to the penalties of a simple felony. The list, March 7. accordingly, was produced, and Mr Horner pledged himself, if ministers did not bring the question, in its constitutional bearings, under the consideration of parliament, to undertake the task at some future period himself. It appeared to him, that, if these licences were thought generally necessary, it would be much better to render the trade, which was sanctioned by them, legal for a limited time. At present he would confine himself to the meaner branch of the subject, the amount of the fees; and here, he said, the returns were not satisfactory. It was stated, that the fee for a licence amounted only to 12l. 9s. 6d. Now, he knew, that, on every licence which had been granted, the fees had exceeded 15l. and sometimes 20l.: and that, when our merchants had obtained licences for several ships, instead of an additional guinea only having been charged for each vessel, as stated in the returns, not less than 65 or 66l. had been charged for a licence for six ships. This statement was not contradicted by Mr Rose. He observed, that, some weeks ago, the Privy Council, finding the amount of the fees so considerable, had taken the matter into serious consideration, and had entered into a strict investigation of it. He, therefore, advised Mr Horner to postpone his motion till the proceedings of the Privy council could be laid before the House, previous to referring the subject to the committee of finance. Mr Horner agreed to this, but the question was not resumed during the session.

* 9l. 14s. 6d. for the sign manual; 1l. 10s. the stamp duty; 2l. to the principal clerk; 1l. 10s. among the other inferior officers, and half a crown to the office-keeper.

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CHAP. V.

Financial Measures.—Arrangement with the Bank.—The Budget.—The Life Annuity Plan.—Army Estimates.

MINISTERS had an easy task in the department of finance. Here they had, indeed, succeeded to a bed of roses;—the thorny business of making which had been performed by their predecessors. The first measure which the Chancellor of the Exchequer brought forward, was an arrangement with the Bank concerning, 1st, The management of the public debt: 2dly, The balance of the public money in the hands of the Bank: and, 3dly, The unclaimed dividends.—Upon the first of these heads, it was agreed, that the allowance for management should be 340*l.* per million, when the debt should amount to 400 millions, and from that to 600 millions inclusive; 300*l.* per million for all debt above 600 millions. If 600 millions, continuing at 340*l.*; and 450*l.* per million between 300 and 400 millions, in the event of the public debt being reduced so low. The saving to the public by the arrangement would be from 60 to 65,000*l.* a-year.—The next head of the arrangement was the advance of three millions, by way of loan to government, without interest, till six months after the conclusion of a definitive treaty, in consideration of the advantages of management, and in participation of the benefit of the balances. The average amount of these balances might be taken at about ten millions and a half. Mr Pitt, in his arrangement with the Bank, had asserted the right of the public to participate in the advantages derived from the management and balances; saying that, whether the participation should be in the proportion of a fourth, a third, or a half, it would be greatly to the advantage of the public. This shewed that not more than a participation was intended; and therefore, as the proportion of one-third, being the middle rate, was probably considered as most equitable, that proportion was agreed to. —Upon the third head, the Bank agreed, that 500,000*l.*, being part of the balances arising from unclaimed dividends and lottery prizes, should be paid into the Exchequer, in addition to the sum of 376,339*l.* advanced under the act of 1791. Provided that, if, at any time, the balance in the hands of the Bank, on both of these accounts, shall be reduced below 100,000*l.*, exclusive of these sums, a proportion of the 500,000*l.* shall then be refunded from the Exchequer, sufficient to make up the deficiency.

Feb. 10.

When this statement was laid before Parliament, Mr Bankes observed, that the large rate of allowance which the Bank enjoyed, for the management of the national debt, was strongly to be condemned: and great as was his respect for Mr Pitt, he

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could not help thinking he had made an improvident bargain on the subject. In the present instance, it would have been infinitely better to have made a larger reduction in the rate of allowance, even if that had been obtained by reducing the amount of the loan; for the reduction would be a permanent advantage, while that from the loan was to determine with the war. There was another point which must be contemplated with some jealousy. The Bank had in their hands the complete coinage of the circulation of the country, without an equivalent paid. It would be as easy for them to coin the sums advanced to Government, as to coin the amount of their notes cancelled yesterday. He did not like any thing that drew the Bank into too close a connection with ministry; he wished them to feel mutual good-will, but to be perfectly independent of each other.

Mr Tierney commented unfavourably upon the arrangement. It was liable, he said, at the outset, to this vital objection, that, while the public restricted the Bank from paying in specie, it was at least highly indelicate that the public should derive benefit from that restriction. But could a loan of three millions have been asked for, or would it have been granted, had it not been for that restriction? With regard to the rate of allowance for management, the Bank ought to do that business without any allowance whatever: They would then be on the footing of every private banker. To the loan there were many objections. In the present state of Europe, it was most desirable to shew the enemy, that our resources were such as enabled us to meet him with confidence: but could an advocate of Buonaparte's have better materials for depreciating the means of England, than by a reference to this arrangement? Government, desirous of avoiding a public loan, had exerted its influence on the Bank, to procure a loan of three millions without interest! After this step, the Chancellor of the Exchequer would find it difficult to convince a Frenchman that we were not driven to shifts and subterfuges; and this, too, at a time more favourable than any other for negociating a public loan, owing to the stagnation of trade, and the great quantity of money necessarily afloat, for which no employment could be discovered. Whence did this three millions proceed? In nine years the Bank had advanced six millions to the public. Since the restriction upon the payment of specie, they had shared no less than four millions in *bonuses* among themselves: They had increased the dividends on their capital from seven to ten per cent. If their profits had been extensive enough to justify all this, then the Chancellor of the Exchequer had not made half so good a bargain as he ought to have made. It was wrong to take this loan while the restriction upon the payment of it existed: it would be worse to take it, if, by so doing, the taking off that restriction would be retarded:—Would the Chancellor of the Exchequer say that the measure would not retard it?—The Bank Directors consented to lend three millions, which, in his apprehension, would not cost them three-pence. Did they mean to increase their notes for this purpose? If so, it was a strong argument against the step. If they did not mean to increase their notes, did they mean to distress the trade of the country, by refusing to discount

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the bills of the merchants? This also would be a strong argument against it. Let the subject be referred to a committee; and, he believed, no committee could be found which would not say, that not half enough had been taken in interest by this arrangement, and too much in principle.—Arguments to the same purport were advanced by Lord Henry Petty: but he admitted, that, as the Bank acted as agents in the management of the public debt, they had a right to be paid as agents, and not merely as bankers. * It was replied to these various objections, that the Bank could not possibly supply the loan by an issue of notes; and that a loan would not be rendered a contingent advantage by peace, if large balances still remained in the hands of the Bank; for, by this arrangement, a principle had been established which would be acted on in future, that in proportion to the balances in the hands of the Bank, must be the advances made by the Bank to the public.

The supplies voted in the session amounted to 48,653,170 *l.*, of which the proportion to be furnished by Ireland being deducted, viz. 5,713,560 *l.* there remained 42,939,604 *l.* to be defrayed by Great Britain. The ways and means for answering this demand were, three millions upon malt and pensions; three millions and a half advanced by the Bank; 726,870 *l.* unappropriated surplus of the consolidated fund; war taxes twenty millions; the lottery 350,000 *l.*; four millions on exchequer bills, to be issued in place of others funded to the same amount. These different items, with a loan of eight millions, made an aggregate of 39,576,870 *l.* Adding to this three millions and a half, the surplus of the consolidated fund, there would then be a surplus of ways and means above the supplies, of 137,000 *l.* It remained to provide for the interest, charges, and sinking fund of the exchequer bills funded, and of the loan, which amounted to 750,000 *l.* To raise this, short annuities to the amount of 380,000 *l.* had fallen in. There was a saving of 65,000 *l.* upon the management of the public debt. An improved mode of collecting the stamp duties would yield 200,000 *l.*; and a new arrangement with respect to the assessed taxes would produce 125,000. In the whole 770,000, being a small excess above the sum actually required.

The alteration in the stamp duties and assessed taxes certainly infringed the principle which had been recognised in Parliament, founded upon the suspension of farther taxation for three years, and resorting to the war taxes to cover the necessary charges of loans. That principle had been unanimously approved; and Mr Perceval said, that, though he thought it necessary to depart from it in the present instance, to the amount of about 300,000 *l.*, it was not because he considered the principle as unwise; but, having felt how desirable it was to consolidate the different acts relative to the assessed taxes and the stamp duties, he considered it a good opportunity, when making improved regulations for the collection of both, to make a small addition to certain items. The number of acts relating to stamp duties amounted to sixty or seventy, and those for the collection of them made the number in the statute-book nearly one hundred. It was desirable to consolidate all those re-

* Mr S. Thornton. Mr Huskisson.

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lating to the duties into one; as also those for the regulation and collection. The manner in which the schedule was to be prepared, was by disposing the several duties under different heads, by a distinct arrangement in alphabetical order. The addition to the amount of the duty would arise from an application of the *ad valorem* principle to other instruments than those to which it was at present applied. In all conveyances of real property, and all admissions to offices of courts and government, he proposed that a specification should be made of the amount of the consideration, and the stamp should be in proportion. At present the duty was 20 *l.* upon all offices of the courts, without regard to the amount of the income. He would reduce it upon the lower offices, and raise it upon the higher. No duty should attach upon those of which the incomes did not exceed 60 *l.* Upon all over 60 *l.* and under 150 *l.* the duty should be 8 *l.* Upon all between 150 *l.* and 300 *l.* 20 *l.*, and so in proportion upon higher incomes. The duty at present on articles of indentures to an attorney of the superior courts was 100 *l.* and of the inferior courts 55 *l.* The same duty which applied to solicitors in Chancery ought also to apply to proctors: And the duty of 55 *l.* he proposed to extend to indentures to writers to the signet in Scotland. When collections and donations gave the right as fully as induction and institution, they were to be liable to the same duty. The duty upon enfeoffments, which was only 1 *l.* 10 s. he proposed to double; thus subjecting it to the same impost as another mode of conveying real estates by lease and release. He proposed an addition to the duty upon the grant of honours and preferments. At present it was only 20 *l.* in all cases. But in Ireland it was 200 *l.* on the creation of a duke, marquis, or earl; on that of a viscount, 150 *l.*; on that of a baron, 100 *l.* There was no reason why this country should not adopt the same rate. Upon the grants of money and pensions, the duty should attach upon the *ad valorem* principle, on the higher grant, and apply in consequence, on a reduced scale, to the lower. Policies of insurance on houses were no longer to be exempted from duty. All persons issuing promissory reissuable notes, should pay 20 *l.* a-year for a licence. The duty upon such notes was at present 3 d. each, he proposed to make it 4 d.: and, when the notes were payable only in one place, 6 d The duty upon transferring shares of joint-stock companies was collected at present in proportion to the nominal value; hereafter it should be in proportion to the real. Law proceedings were already so heavily burthened, that no addition could possibly be made to them. There were, however, some small instances which seemed to have been omissions in the former act. Hence he proposed 1 s. upon all summonses before a Master in Chancery. The duty should apply to probates of administration in Scotland as it did in England. The duty upon residues should be the same as upon legacies. With respect to conveyances of land, he would apply the *ad valorem* principle. At present it was 30 s. on all conveyances. When the consideration did not exceed 150 *l.* it should be 1 *l.*; between that and 300 *l.*, 1 *l.* 10 s.; thence to 500 *l.* 2 *l.* 10s.; thence to 750 *l.*, 5 *l.*; thence to 1000 *l.*, 7 *l.* 10 s.: but in no instance to exceed one per cent. upon the consideration. He calculated that these various additions would

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increase the amount of the stamp duties to the extent of 200,000 *l.*

With respect to the assessed taxes he proposed two alterations: To consolidate with them the additional ten per cent.; and to transfer to them the licence-duties for shooting game. The additional ten per cent. having been brought forward, he said, hastily, to make up a deficiency in the ways and means arising from the abandonment of the iron-tax, had not been apportioned with that mature consideration which was desirable; and there were fractional payments in almost every instance, which it was proper to do away. For this purpose he would, in all the lower classes, reduce the fraction to the integer next below it; and, in the higher classes, advance it to the integer immediately above;—integer in this statement meaning 6d. And, as alterations afforded a good opportunity for addition, he would add 2 per cent. upon the whole; making in all an addition of 107,600 *l.* The transfer of the game licences would remedy that inconvenience which gentlemen now felt in obtaining their certificates from the clerk of the peace, if they resided at a distance from the county town; and it would prevent that evasion of the duty which was now so frequently practised. He deemed it also desirable to include woodcocks and snipes in the enumeration of game; because unqualified persons, who were in pursuit of game, usually pleaded the liberty of shooting these birds as their pretext. When this subject came to be farther discussed, it was proposed that rabbits also should be classed as game; but the mischief which these animals do to the farmer being represented, the project of rendering it criminal to destroy them was abandoned. One might have hoped that the game-laws would never more have been mentioned in the British Parliament, except to be abolished; and the plain common-sense principle, of considering game as private property, substituted in their place.

April 3.

May 5.

The supplies for Ireland amounted to 9,767,550 *l.* Irish currency, which Mr Foster, the Irish Chancellor of the Exchequer, admitted to be a very large sum. To meet this there were, the ordinary revenue, 4,800,000 *l.*; the loan contracted in England for the service of Ireland, 2,708,332 *l.*; the loan to be granted by the Bank of Ireland for the renewal of their charter, 1,250,000 *l.*; the loan contracted in Ireland, 750,000 *l.* The charges per annum of the interest and sinking fund upon these three loans would be 280,462 *l.* This he thought it better to raise by laying on a large tax at once, than by a number of single ones: And, therefore, he proposed to extend to all raw-corn used in distilleries, the duties at present imposed upon malt; and, by an additional duty on foreign spirits, these sums, with the saving in the management of the debt, would more than equal the annual charges. The arrangement with the Bank of Ireland was, that its capital should be increased from one million and a half to two and a half; and that its charter should be continued till the first of January, 1807, the Bank engaging to manage the whole debt of Ireland free of further expence, whatever addition is to be made to it; and advancing to Government a million and quarter till the end of its charter.—It was objected by Mr Bankes to the arrangement, that an

June 8.

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addition of ten, or at most fifteen years to the charter, would have been amply sufficient. And Mr M. Fitzgerald, in order to give some idea of the profits derived from an accredited issue of paper, stated, that one Banking-house in Ireland set up upon the price of a captain's commission in the dragoons, and had afterwards a floating capital to the amount of 400,000 *l.* The Bank of Ireland, he said, was not entitled to much favour from the legislature; for, at the time of the invasion of Ireland under Hoche, they refused to advance money to government; and it was by the money of a loyal individual that the army was put in motion. The terms of the loan also were objected to. It was at 5 per cent., the highest rate of interest which the law allowed them to charge upon discounts on any tradesman's bills in the country. *

May 27.

May 3.

A financial measure of considerable importance was brought forward this session of parliament by the Chancellor of the Exchequer: it was, that the proprietors of 3 per cent. consolidated fund, or reduced bank-annuities, should be at liberty to exchange with the commissioners for the Reduction of the National Debt, such Bank-annuities for a life-annuity, during the continuance of one or two lives; the more speedy and efficient reduction of the national debt being the object proposed. The power of transfer was to be limited to persons under thirty-five years of age, to prevent impositions; and the amount of the transfer to sums not less than 100 *l.*: and stock not to be so transferable when the funds were above 80 *l.* The effect would be to secure to the nation the redemption of the funds so transferred, at the price at which they were when the transfer was made. There were two objects, Mr Perceval argued, which the sinking-fund was designed to effect; the one to provide for the final redemption of the national debt; the other to keep up the price of stocks in the market, so as to enable Government, whenever the exigencies of the state require it, to make an advantageous loan for the public: but these objects are in some degree inconsistent, and tend to counteract each other; for whatever measure raises the funds, and thus enables Government to borrow on the best terms, prevents the Commissioners for the Reduction of the National Debt from reducing that debt on the best terms. The measure which was now proposed would, he affirmed, combine both these objects; it would naturally tend to increase the price of stocks; and it would at the same time secure the redemption at a low price, of so much stock as might be transferred antecedent to the rise produced. The merit of the plan rested upon this postulate, that the stocks would rise,—which would inevitably be the case, from the accumulation of the sinking-fund, either in time of war or of peace. To individuals this plan offered the acquisition of an increased income, free from any risk to their property, and without the expence and inconvenience attending other modes of obtaining a similar object.

May 13.

Some objections were made to this plan. Mr Pitt had tried a similar one in 1783, and it had failed. Capital, and increase of capital, Mr

* Sir J. Newport.

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Tierney said, were the object of the day; and, was it probable, that a person, who had hitherto preferred capital to interest, should all at once change his plan, and prefer interest to capital, and that, too, precisely at the moment when the Chancellor of the Exchequer was assuring him, that capital would rise in value? It appeared to him also, (though he did not mean to infer that such a step, under some circumstances, might not be adviseable,) that the plan would be a violation of the act of parliament respecting the reduction of the debt, and consequently an infraction of faith with the public creditor: For, if these annuities were granted to a considerable extent, that part of them which exceeded the interest must diminish the disposable sum in the hands of the commissioners; and thus the effect of raising the fund, which their purchases produced, would be materially diminished.—Mr Windham said, there was this obvious and fundamental objection to the plan, that it tended to vitiate the morals of the people:—too many parents would be willing to sacrifice the interests of their children to their own immediate gratification. This argument was enforced by Lord H. Petty. Wherever annuities, he said, had been encouraged by Government to any extent, they produced a direct effect upon the morals of the country; and he remarked, that this temptation to the lower and middle classes was to be held out at a time when an additional tax was to be laid upon life-insurances, provisions dictated by every principle of prudence and foresight.—Mr William Smith also commented severely upon the immorality of Government in proposing such a plan, and in many other instances. In all cases, he said, when Government profited by the vices of the country, it connived at them. Thus it was that it was easier to procure licences for all the alehouses in the country, than to suppress one; and the country was deluged with quack-medicines, because of the profit derived from the stamp upon them.

To these arguments it was replied, that, if the purchase of annuities was sometimes a vice, (and the improvident would purchase them now upon worse terms), it should not be forgotten that there were many cases in which it assumed a character altogether different. Would it not be proper for a man to provide in this manner for his children or his widow, if his property did not admit of any other provision? For, if small annuities were secured on land, the expences of settlement, and perhaps of recovery, would render the provision of no avail. No lure was held out. Greater temptations were every day offered without any security: and it might fairly be said of the proposed plan, that the balance of good greatly preponderated over any evil which might be likely to arise from its operation. An infraction of the act respecting the sinking-fund, Mr Perceval admitted it was, in manner and in words, but not in spirit: on the contrary, it tended to expedite the redemption of the debt for which that fund was created.

The navy estimates for the year, voted in a committee of supply, were:— *Jan.* 29.

1. "That the number of 130,000 men should be employed for the sea service of the present year, including 14,000 royal marines. 2. That a sum not exceeding 3,126,500 *l.* be granted to his majesty for the wages of the above men for 13 months, at

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the rate of 1 *l.* 17 s. per man per month. 3. That a sum not exceeding 3,211,000 *l.* be granted to his majesty for victualling the above men for 13 months, at the rate of 1 *l.* 18 s. per man per month. 4. That a sum not exceeding 5,070,000 *l.* be granted to his majesty, for the wear and tear of the navy, for 13 months, at the rate of 3 *l.* per man per month. 5. That a sum not exceeding 521,500 *l.* be granted to his majesty for defraying the charges of ordnance for sea service, for 13 months, at the rate of 7 s. per man per month."

Feb. 26. The ordnance estimates amounted to 5,300,000 *l.*, exceeding those of the preceding year by nearly a million and a half. This arose from arrears of former years, exceedings not provided for, works at Chatham, Woolwich, and Dover, and the expedition to Copenhagen.—It was asserted by Mr Wellesley Pole, that the artillery of this country had attained a pitch of efficiency, under the auspices of the Earl of Chatham, not only unparalleled heretofore, but superior to any other train of ordnance in Europe. It consisted of 6000 men, with 4000 horses attached; and all in such a state of discipline and equipment as to enable them to oppose a force of artillery against any enemy who should land in this country, in one-third of the time, and with more than triple the effect that could be done at any former period.——The army estimates were as follows:

	Numbers.	*Great Britain.* L.	s.	d.	*Ireland.* L.	s.	d.
Land Forces (including various contingencies),	200,831	5,892,922	9	1	1,385,057	11	6
Regiments in the East Indies,	30,884	691,525	8	9			
Troops and Companies for recruiting ditto,	437	25,281	12	9			
Embodied Militia	108,384	2,236,462	0	4	846,408	17	6
Staff and Garrisons,	—	363,902	6	5	69,502	1	4
Full Pay to Supernumerary Officers,	—	32,213	2	8	778	1	9
Public Departments,	—	188,680	19	6	8,921	14	0
Half Pay	—	209,750	0	0	26,732	8	1
In-Pensioners of Chelsea and Kilmainham Hospitals	—	40,969	13	10	16,942	17	3
Out-Pensioners of ditto,	—	329,619	9	2	46,878	8	6
Widows Pensions,	—	40,495	10	6	6,000	0	0
Volunteer Corps,	—	652,000	0	0	611,487	0	0
Foreign Corps,	22,125	795,647	3	2	70,911	3	10
Royal Military College,	—	21,525	17	4			
Royal Military Asylum	—	19,908	9	3			
Allowances to Retired and Officiating Chaplains,	—	16,000	0	0	2,852	5	3
Medicines and Hospital Expences,	—	100,000	0	0	18,676	8	9
Compassionate List,	—	13,500	0	0			
Barrack Department (Ireland)	—				442,262	13	5
Commissariat do. (Ireland),	—				190,253	7	4
Total,	362,661	11,670,404	2	9	3,773,064	19	4
Deduct the Regiments in the East Indies,	30,884	691,525	8	9			
Remains to be provided,	331,777	10,978,878	14	0	3,773,064	19	4

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The Secretary at War said, he had the satisfaction to state, that the army, which the House was now called on to provide for, was, in point of discipline, equal to any army in the world; and, in point of number, superior to any this country had ever possessed till now. The amount was, in regulars and militia, not less than 300,000 men, and the effective force was within 10,000 of the establishment; an approximation scarcely ever known before.

The present ministry had found the military, as well as the financial system of the country arranged by their predecessors; but the same motives which made them oppose the plan of limited service, when originally brought forward by Mr Windham, induced them now to adopt means for counteracting and defeating a measure which they could not call upon parliament openly to repeal. Accordingly, when the mutiny-bill was read a second time, Sir James Pulteney, the Secretary at War, gave notice, that his "noble friend" Lord Castlereagh would, on the morrow, move a clause, empowering the inlisting men for life. Mr Windham entered the house shortly afterwards, and asked, whether it was true that certain clauses were to be inserted in the mutiny-act, the effect of which would be to subvert the military system last adopted? He was answered, in a gentle phrase, that some clauses altering the system of recruiting were to be proposed. Upon which he declared his resolution of opposing them in every stage of the bill. On the morrow, when the house resolved itself into a committee, Lord Castlereagh prefaced his motion with arguments worthy of so bad a cause: He highly approved, he said, of the inducements held out in Mr Windham's bill to certain descriptions of men, by the liberty to engage for limited service, and by the creation of additional pensions;—but what he complained of was, that the Right Honourable Gentleman considered his measure as prescriptive, to be preserved without addition or alteration; as if any military system could reasonably claim an exclusive and unalterable sanction. Why should limited service be in a manner enforced, to the total exclusion of unlimited service, even when the men were perfectly satisfied, and desirous to enter without limitation? He then proceeded to show the insufficiency of this system, which he had set out with commending. It was, he said, distinct from every other, in this respect, that it made no addition to the prior strength of the army. In the eighteen months preceding its operation, 30,748 men were raised: in the eighteen months during its operation, the number raised was only 26,040, being a diminution of 4000. The question however was, not how an army was to be raised, but how a very flourishing army already in existence should be maintained? And, with a view to this end, it ought to be seriously considered, what would be the consequence of making limited service the exclusive principle, with no less than 90,000 men now employed in foreign and colonial service. How could it be possible to maintain an efficient army in our distant possessions, if it would be necessary to bring home the men at the termination of a short period of time? It was matter also of very serious consideration to think, that the 36,000

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enlisted this year would all be entitled to their discharge at the same time seven years hence. It was also very material to consider, how this principle would affect our peace establishment. Supposing a peace establishment of 100,000 men, and 36,000 of them to be discharged in one year, and a war to follow in that year or the next, what would be the state of the country? He contended, that the Right Honourable Gentleman's measure would not cover its own waste, and that of the army in general. There was indeed only one part of the plan which was not speculative,—and that was the permanent burden of 450,000 *l.* a-year, which it imposed upon the country in the shape of additional pensions, an incumbrance which must continually increase. (Yet this creation of additional pensions was what Lord Castlereagh had highly approved in the beginning of his speech!) It was, however, not intended to subvert the system of limited service; all that was intended was to allow *a liberty of a larger engagement to those who were free and willing to make it;* all that he pressed upon the Committee, was the *propriety of not depriving* such men as were inclined, of a fair option to enlist for life.*

The sophistry and inconsistency of this whole reasoning were too gross and glaring to need confutation. The statement of facts on which it proceeded was not less incorrect; and this Mr Windham proved from an official document printed at the end of the last session. The Noble Lord, he said, denied him the credit of having made any addition to the army; it was a credit that he had never claimed. His measures had been in full operation, not for eighteen months, as Lord Castlereagh stated, but for twelve. In the first quarter it had produced at the rate of 11,000 men a-year; in the second quarter, at the rate of 13,000; in the third quarter, at the rate of 21,000; and in the fourth quarter, at the rate of 24,000. It was certainly no little praise that it so soon equalled the effect of the ordinary and extraordinary recruiting, which was in force before it; and the manner in which it effected its purpose was, in itself, sufficient to give it a superiority over the measures which were now brought into comparison with it. It was the merit of his measure, that it

* There are, perhaps, but two instances upon record of so gross an abuse of language, before a legislative body, as that which is contained in these phrases of Lord Castlereagh. The one occurred in the House of Assembly at Barbadoes, when, in consequence of some instances of atrocious cruelty towards the slaves, which had recently been perpetrated with impunity, Lord Seaforth recommended to that Assembly, that the murder of a slave should be made felony; the present punishment being only a fine of eleven pounds four shillings sterling. And that Assembly, at the motion of Robert James Haynes, Esq. returned for answer, That they understood their interest, and knew how to repel insult, and *assert their rights;* i. e. the *right* of murdering slaves at eleven pounds four shillings a-head!—The other instance occurred in the examination of the Liverpool delegates in support of the Slave Trade, before the House of Commons. In describing the tenderness with which the slaves were treated upon the Middle Passage, they said, that, among their other amusements, *dancing was promoted.* When the meaning of this phrase was wrung out of them by cross-examination, it proved to be, that after meals the slaves were made to jump up in their irons for exercise, and whipped if they refused to do it. These *Barbadoes rights*, and this *promoting of dancing*, are to be classed under the same figure of speech as Lord Castlereagh's *liberty of a larger engagement*, and his *fair option.*

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raised the men by the ordinary recruiting alone, while the measure with which it was compared procured them by means expensive and violent, and which exhausted the sources of recruiting in future. The comparison between the extraordinary measures of other administrations and his measure was just the same as that of a man with 100,000*l.* capital with a man having 40,000*l.* a-year. The former could exceed the other for a period even of a couple of years, by 10,000*l.* a-year; but, at the end of that time, the capitalist would be in jail,—while the other would remain with the same undiminished means of expenditure. Mr Windham, after this convincing argument, reprobated the mode in which it was intended so basely to undermine the system which, after such long and deliberate consideration, had been established by that House; and especially after a clause of the same kind had been rejected in 1806, because it went to counteract the general effect of the measure. That system proceeded on the principle of ameliorating the future condition of the soldiers, by the prospect of future advantages; it was necessary, therefore, that confidence should be inspired into the people to give it its due effect; but the clause now proposed went to destroy confidence, and to diffuse distrust. And if, as had been hinted, it was intended eventually to allow those soldiers who had enlisted for a term of years, to change that term for life, this would be an atrocious breach of faith; for the prohibition which now exists was the protection of the soldier; and, were it to be removed, he would be exposed to the solicitations, and ultimately to the vengeance, of his officers. He concluded by expressing a hope, that the house would rise, with one common feeling of indignation, against the insidious attempt which was made, without any plausible pretext or object, to destroy that, which, after deliberate and repeated discussion, had received the solemn sanction of parliament.

The subject was resumed upon the third reading of the bill; when Mr Windham affirmed, that it was the plan of the present administration, secretly, covertly, and clandestinely, to undermine the system of limited service. Was it fair to the house, he asked, was it decent to the public, to require the present parliament to reverse the measures already established, by admitting a proposition which had been twice negatived in two former Parliaments, and thus making the Legislature eat its own words?—Such an appeal was of little avail against the will and pleasure of the ministry, and the innovation passed by a majority of 189 to 116.—When the clause was discussed in the House of Lords, it was resisted by the Duke of Gloucester, a prince who, on all occasions, manifests the best and most honourable principles; and it was defended by Lord Melville, in a most extraordinary manner. Armies, he said, were not to be raised by metaphysical recruiting, and a philosophical investigation of the moral propensities and habits of men. He treated, with scorn, the whole maxims upon which Mr Windham's bill was founded. "It was pretended," said his Lordship, "that it would introduce a better description of men into the army;—what was meant by a better sort of men?—Was it that they were taller o

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shorter, broader or thinner? This might be intelligible; but it was not the case. The men that had hitherto formed the British armies were men of stout hearts and habits, men of spirit and courage, lovers of bold enterprise. These were the materials of which an army must be composed. Give him such men, though not of the better description: the worse men were the fittest for soldiers:—keep the better at home!" This singular language, language which indicated such contempt of the moral dignity of man, and such ignorance of his nature, provoked an indignant reply from the Duke of Gloucester. From what portion of history, he asked, did the Noble Viscount draw his inference, that profligates were most suited to the purposes of national defence? What were the means by which ancient Greece resisted the innumerable hosts of Persia? What was the secret by which Rome, after a struggle of seven centuries, extended her conquests over the world? Was it by permitting slaves and profligates to bear the honourable weapons of war? According to his conception of the subject, and his experience of the military character, that man was the most patient under suffering in the service of his country, who held most sacred the personal and social duties; and the best men were the best soldiers.

Another subject rose out of the mutiny bill.—Sir Francis Burdett, on the third reading, proposed a clause to prevent officers from being dismissed the army by any other means than the sentence of a Court-Martial. It had been hinted, he said, that what he proposed was trenching on the prerogative; he did not think it did. The army itself was constitutionally looked upon as a great infringement made by the Crown on the prerogatives of the people;—he did not say it was an unnecessary infringement; but as the army must constitutionally be considered as an invasion of the liberties of the people, the principle of limiting in some degree the arbitrary power of the Crown with respect to the army, could not be looked upon as trenching on the prerogative of the Crown, which held the army only by the indulgence of Parliament. The clause had nothing in view but to secure that justice and fair dealing which should always mark the proceedings of the Crown towards the people; it proposed to restrain that only, which no king, if well advised, would ever do. It was due to the officers of the army to afford them that legal protection, for their fortunes, and what was of still more importance to them, their characters, which persons of other classes enjoyed. They were now wholly at the mercy of those malicious whispers, by which the ears of persons high in authority were ever liable to be abused; and they ought not to be left in circumstances in which they might be whispered out of their rank and situation, into poverty, disgrace, and ruin, and a thousand calamities worse than any law could inflict, by the arts of a dark malignant assassin, who would not dare to meet them in the open light of genuine British justice. The object he had in view was to prevent future abuse, rather than to censure the past; and, if he forbore to cite cases of abuse, it was not because they did not exist, but because he was unwilling to hurt any one's feelings unless forced to it.—The Secretary

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at War, Colonel Ducket, and General Fitzpatrick, opposed this motion, on the ground that no case was made out;—formerly it was, indeed, true, that officers had been deprived of their regiments for voting against ministers, but there were no instances of this abuse in modern times; and it was so necessary, Sir James Pulteney said, that the army should be dependent upon the Crown, that even, if it were not the case at present, he should have proposed it now for the first time. Much as it was to be wished, that the military should have the advantage of the common law, it was incompatible with the constitution and discipline of the army. Lord Folkestone supported the arguments of Sir Francis, but expressed a hope that he would withdraw the clause, and bring the subject forward in a separate bill; for so grave and important * a matter required the most serious deliberation, and the fullest discussion.

The motion was withdrawn, and not resumed by Sir Francis Burdett.

June 3. Towards the close of the session, it was taken up under a different form by Mr Lyttleton, who moved for leave to bring in a bill to expedite the decisions of courts-martial, and to prevent any undue interference in impeding or delaying the result thereof. He was aware, he said, of the objection against interfering with the prerogative; but the interference which he proposed would not infringe upon the just rights of the Crown. The High-Constable and Earl-Marshall, in ancient times, regulated the affairs of the army under due responsibility. On the attainder of Stafford, Duke of Buckingham, Henry VIII. assumed and exercised the whole power of the superintendance and government of the army. But the arbitrary principles of that monarch, and his immediate successors, rendered these practices no precedent for modern times: And when, after the Revolution, a Scotch regiment mutinied on the appointment of a foreign officer, the Duke of Schomberg, to be their colonel, King William conceiving that, by the prerogative, he had not power to punish them, applied to parliament for powers adequate to the case. The Mutiny Act was passed on that occasion; and this was a standing precedent for parliamentary interference in the judicial administration of the army. There were but too many instances to justify him in calling for an alteration in the present system. When first he had the honour of a seat in that House, a paper was laid on the

* It was truly observed by Cobbett, that this subject was "of infinitely greater importance to the people of England than all the questions about commerce and the law of nations, which cost the parliament so many hard nights work during the session. When the whole of the peace-establishment," said he, "was not above ten thousand men, there was no danger in the prerogative; but, now when the number of commissioned officers is more than ten thousand;—when no small part of the members of both houses are officers of the army; and when there is scarcely a family of any note in the whole kingdom, that has not some relation an officer in the army; surely such a prerogative must be very dangerous. England is now a military country; it is so professed to be by the ministry and the parliament; and if the king has the absolute power of dispossessing, at his pleasure, and without reason assigned every officer of the army of his means of existence, as well as of his character, of what *sort*, I ask, is the government of England?"

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table relative to the proceedings of a Court-Martial, whose sentence had been changed from an acquittal to a censure. The Honourable Cochrane Johnstone had been honourably acquitted; yet, in consequence of this right of revision, that gallant officer was past over in a course of general promotion, and all his professional prospects and hopes blasted for ever. A charge had been brought against some subalterns of the Perthshire Fencibles, who, after a long and impartial trial, had reason to expect, and it was publicly expected, that they would have been honourably acquitted; but from that day to this no man could say he had official notice of the sentence, for it was totally suppressed; and there was great reason to suspect, that that suppression was owing to the great interest exerted on behalf of the Colonel who brought the charges, and whose character would have been seriously impeached in the acquittal of the accused, and the manner of that exculpation. Surely a system so liable to abuse, imperiously required the interference of parliament to correct and improve it.

Mr Lyttleton had said he did not mean to deny the undoubted right of his Majesty to employ or to dismiss what officers he pleased;—and by thus admitting, or seeming to admit, the propriety of that prerogative, he laid himself open to the reply of the Secretary of War. You have allowed, said Sir James Pulteney, that his Majesty ought always to have the power of judging what officers he should employ, and what he should dismiss; the alteration then proposed in the power of Courts Martial could make no difference in the case of the Honourable Cochrane Johnston, which he had adduced; for, supposing him acquitted by the court, his Majesty might still dismiss him. Sir Arthur Wellesley and General Fitzpatrick contended for the fitness of things as they were, the mischief of any alteration, and the necessity of leaving the army under the controul of the Crown: and Mr Lyttleton having only Sir Francis Burdett to support him, on a subject of such great and increasing importance, withdrew his motion.—Neither Mr Lyttleton nor Sir Francis Burdett expected to remedy the evils of which they complained. It was, however, doing something to bring the subject forward. Men who were unprejudiced, and looked only to the merits of the question, felt the justice of the principle upon which they argued: and the first step towards obtaining the reformation of any abuse, is to lay before the public proof that it is wanted. Truth and reason must make their way at length, and reformation will follow whenever the public are convinced that it is necessary. Thus it is that the fopperies of the army have begun to disappear; and the vices of its constitution will, in like manner, be gradually corrected by the progress of good sense and just principles.

But the most important military measure which was brought forward this session was the Local Militia Bill:—the plan for undermining the system of limited service would have been more so, if its insidious purpose could possibly succeed; this, however, it cannot; for the principle having once been admitted, must stand, and cannot be overthrown.—If the war should continue very long, Lord Castlereagh said, or if peace should be made, in either case the Volunteers might return to those do-

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mestic habits from which the imminent danger of the country had drawn them forth. It was the duty of Government to be prepared against this; and he therefore proposed a plan which would be equally operative in peace and in war, and the effect of which would be, that the country would be ready at all times. Then, with his usual hostility towards the measures of his predecessor Mr Windham, it was necessary, he said, to state, without reserve, the view which his Majesty's Ministers had of the Training Act. The intention of that act was, to train 200,000 men out of the whole population: the parish officers were to do the duty of military officers and drill-serjeants: but neither was the training adequate, nor would the men, when so trained, be of any use. It availed nothing to have men trained, unless they were regimented,—then, indeed, they would be of real utility. But though the general training was more vexatious than beneficial, it might be made serviceable, by qualifying the men to fill the ranks of the militia and regular army, so that they might be ready, if they were wanted: the object, therefore, should be, to train a sufficient number for any possible exigency. The regular army at home at present amounted, with the militia, to 200,000 men, exclusive of artillery. If raised to one hundred men in each company, which was no more than the officers commanding could easily manage, it might admit 50,000 additional men; and it was of great importance to have these men ready as an army of reserve. It would be sufficient training to drill them forty-eight days near their homes, according to the system of the militia in time of peace, and to have them embodied twenty-one days in their own counties. This might be regarded as a sure resource in reserve.

While the Volunteers could continue their services with convenience to themselves, government did not desire any more effectual force. But it was essential to fix and organize a permanent force, which would always subsist to the same amount, and fill up the deficiencies which might happen in the volunteer establishment. There were at present 290,000 volunteers, 240,000 of whom were actually under arms, and in such a state of discipline as to be declared fully capable of acting with troops of the line. The amount formerly proposed for the limitation of the volunteers, by Mr Yorke, was that of six times the militia; that is, 330,000 for Great Britain, only 60,000 were wanting to complete the establishment to the amount required. He proposed, therefore, to erect a Local Militia of that number in the first instance, to be increased in proportion as the volunteer force should diminish; and to supersede them totally if they should withdraw their services in the event of peace. It was intended to fix their services for a certain time; to bind them to do permanent duty in their own counties for a certain number of days; to prohibit all insurances * made with a view of mitigating the

* Upon this subject, what the Lord Chancellor said, when the bill was brought before the Upper House, is worthy of notice. He requested Noble Lords to inquire what had taken place in their own families in these cases. They would find that frequently those of their servants who had not insured were ballotted, while those who had insured escaped. From this circumstance, it might fairly be inferred, that "the insurers had some influence in the arrangement of the business."

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fine; and to allow no substitutes, on account of the enormous rise of bounties which would otherwise be occasioned. But, to prevent the injurious confusion of classes, which would take place if personal service were rigorously insisted upon, the party should be allowed to retire on paying a sum of such magnitude as would discourage the having recourse to it except in very strong cases. A small bounty would be offered to volunteers; and it was hoped that many Volunteer corps would change the terms of their engagement, and become Local Militia; a service which would have the advantage of requiring no stock-purse. The deficiency of volunteers was to be made up by the ballot, limited to persons between the ages of eighteen and thirty-five. With respect to the qualification of officers, a thing highly important, the regulations of the militia should be adopted. No qualification was required for subalterns. There was a latitude given for captains, if qualified persons could not be found, and it was proposed that retired field-officers of the line should be eligible. The term of engagement should be four years; and it was not intended to debar the men from enlisting in the regular army or regular militia at pleasure, during the latter part of that term.

Mr Windham, whose military plans were always, directly or indirectly, attacked by his successor, objected to the proposed measure. Lord Castlereagh, he said, had set out with undermining the system of limited service, and now he was about to introduce a bill for the purpose of destroying the Training Act, under which, with far less expence to the country, and inconvenience to themselves, men would learn so much of the military exercise as to enable them to become effective soldiers in as short a time as they would do under this complicated and burthensome system. The great motive for all these freaks and whims, and complicated machinery, was a taste,—an appetite,—a passion,—a rage for getting soldiers for life. This was the great principle which set the machine in motion;—but there was another on which its movement in no small degree depended,—that of opening a source of patronage and influence. With the Training Bill there was not a single job connected; it had no other object than the good of the nation, and providing for old soldiers, who could make no return to those who provided for them. But here they were to have a regimented force. When there were regiments there must be officers; and every grant of that kind was matter of favour. These arguments he enforced again upon the second reading of the bill. The proposed measure, he said, would be attended with vast expence, with a general disturbance of the occupations of private life, patronage without end, and a great contamination of public morals. It was a bulky measure; but what was its substantial size? what would the tinsel burn for? what weight of solid gold did it contain? We were told of half a million of men in arms, but we had the men and the arms before: and the enrolling was provided for by the Training Act to the amount of 200,000 men, or more, if necessary. The training was to have been for twenty-four days, now it was to be for twenty-eight, and the men were to be incorporated into companies, regiments, and battalions;—this was,

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in fact, the main point of difference, and this was a loss instead of a gain: and, even if it was a gain, it would be too dearly purchased at the expence of all the money, vexation, patronage, and corruption that would attend it.—The Noble Lord thought he did a great deal when he made a great bustle; or rather he wished to appear to do something, and for that purpose set about undoing what was already done. The plan upon which he himself had acted had been to increase the army, by rendering the condition of the soldier attractive to the respectable population. Lord Castlereagh proceeded, not by raising the situation of the soldier to the condition of the people, but by debasing the people to the level of the soldier. It was an oppressive feature of the present bill, that it prevented the alleviation of the burthen by insurance; for, besides the bad effects of a month's licence, under officers having no controul, many persons, who had nobody to attend to their daily business in their absence, would be ruined. If the bill were allowed to operate in its present state, thousands must be crushed under it like grubs; and all this mischief was to be incurred for the sake of indulging Lord Castlereagh in an army of red-coats! He left the House and the Country to consider, whether the Noble Lord's dressed soldiers, with their military coats and breeches, their red, white, and blue facings, their feathers and their bands of music, had at such expence, and with so much vexation, with the disturbance of the occupations and the injury of the morals of the people, and with the unlimited patronage annexed,—whether this was to be preferred to his system of training, which, without any derangement of industrious occupations and moral habits, rendered the men equally effective.

Colonel Shipley and Mr Whitbread severely censured the bill for the cruelty of its operation, and the ruinous effects which it must needs produce upon the morals of the country. It was opposed by Sir Francis Burdett in the most remarkable speech which he ever pronounced in parliament. Mr Herbert of Kerry, who preceded him, had praised the plan, as being worthy of the Noble Lord in whom it originated. Alluding to this, Sir Francis began by saying, that the Noble Lord was indeed the fittest person to originate such a measure;—but was the Honourable Gentleman, who complimented him for bringing it forward, aware of what that measure would render the people subject to? In times when the army was undisciplined, and the nation barbarous, when social order was trampled under foot, and liberty was but another name for licentiousness,—in such times it might have been right to enact and to enforce that military code, the penalties of which were now the exclusive disgrace of the British army and the British nation. But when so great an amelioration had taken place in the discipline and composition of our military force, it was no longer excusable to continue those penal enactments. To a conscription, in the full force of the word, he should not object: it never could be considered a hardship to a man to be called forth to defend his home and his country, or to qualify himself for that necessity. It was not, therefore, on that account that he objected to the measure; but before he could consent to subject the British people to any general sum-

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tions of this nature, he would call for an amendment in the military code. He could not give his consent to commit the whole people of England to what was dishonourable and pernicious to the army itself; he never could allow them to be subject to the lash. Then, bursting into a strain of the bitterest personality, he could not, he said, describe the indignation which he felt at beholding the Minister of the day dare to stigmatize the Representatives of the People, by offering such a measure for their adoption! It required audacity to propose what only folly could imagine efficient, that the reluctant conscripts of our oppressed population should be marshalled under the scourge of tyranny, and presented to the nation as her defence. When you want men for your defence, offer them a post fit for men to accept; when you propose a military code, let it be fit for Englishmen and freemen. What! did the Noble Lord suppose that the people would endure and bend beneath the sanguinary, remorseless, and ferocious despotism, which even slaves would turn upon? Did he suppose that the lash of tyranny,—the insults, the contumely, and scorn of overweening power, the *fœdum signum servitutis*, would be suffered by a free people with impunity? It was, however, in this part of the measure that the fitness of the Noble Lord to be its proposer was particularly shown. The features of the offspring intuitively bespake the parent, as with the appearance of the fasces must be associated the idea of the lictor. Atrocious measures must be expected in age from him, whose youth had been familiarised to executions; and when the author of this bill had wrung the heart-strings of his own country, little delicacy could be expected from him for the dignified feelings of another. Experience had shown that he was the fittest man in the world to submit a whole people to the lash.

The French government has now under its controul nearly an hundred millions of people. It has the command of all the ports of the Continent, and may soon have fleets equal at least in numbers to ours. In these circumstances, this country cannot rest its safety on any thing but an armed population. The British nation should be in a state to feel no alarm, even if it had not a ship upon the sea; but the British nation must not be given up to military law. When individual soldiers voluntarily sold themselves into that situation, it was a sufficient disgrace to the country which permitted such an abuse; but it was not to be borne that the people should be brought into that condition by compulsory enactment. True, indeed, the constitution placed every man at the King's disposal, to resist the enemy in case of invasion. This was as it should be; what he wished was, by the abolishment of the disgraceful penalties attached to the condition of a British soldier, to make the situation such as a British freeman might fitly be placed in. He therefore besought his Majesty's ministers to be cautious how they proposed measures of general defence, clogged with obligations dishonourable to any nation, and especially inconsistent with the characteristic and constitutional freedom of Britons. The time may come when Britain must depend for her safety and liberty upon the discipline, valour, and spirit of her natives. Is it supposed that coercive measures will provide for such

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an event? If so, vain is the supposition:—the salvation of the country depends on the unanimity of the people, and that unanimity can only be produced by conciliation; from that cause alone shall we be able to date our prosperity. But, alas! said he, let me not talk of our prosperity!—We have nothing among us like those great principles by which alone nations can flourish, and from which no nation ever departed without involving its own ruin. Every thing that is done by the British government indicates that it is hastening to its fate:—every thing that I see in this unhappy land, assures me of its downfall! Each succeeding year produces a change of ministry, and each change of ministry a change of measures;—the indecision of one set of men contrasted by the blind obstinacy of the next, and both outdone by the nick-named vigour of the following!—Distraction in our councils, and impotence in our ministers;—while military executioners are daring to fix the badge of servitude on the people.

Sir Francis Burdett has seldom spoken so eloquently, or so well, as on this occasion; the purport and principle of his speech were excellent, but its temper was injudicious and indefensible. It is not more impossible to unite a people by coercion, than it is to convince an opponent by exasperating him. It was asserted in reply by Colonel Wood, that our military code was the most lenient in Europe;—and Mr Whitbread, who wished to avoid the discussion on this occasion, said he had always believed the English were good and humane officers, and that they mitigated, by their moderation and lenity, the rigour of the law: but this was in fact admitting, that the law required mitigation; and the discussion, however intemperately handled, was strictly to the question.—Lord Castlereagh, with meritorious command of temper, contented himself by saying, that the observations of the Honourable Baronet did not detract much from the merit of the proposed plan; and he hoped the good sense of the country would secure them from giving in to his opinion respecting the degradation of the military service. Subsequent events have made one part of his Lordship's speech worthy of notice. In speaking of the danger of invasion, he said the enemy had formerly brought down his troops to Boulogne, and from thence alone had threatened us with an attack; but he was now possessed of the port of Flushing, and that was a point from which he might severely annoy us, and against which it behoved us to be particularly and adequately prepared.

In the progress of the bill, some objectionable parts of its detail were amended. On the motion of Sir W. W. Wynn, persons above thirty were exempted from the ballot; and on that of his brother, Mr C. W. Williams Wynn, those who had three children. These were important improvements. Sir John Cox Hippesley proposed an exemption for all young men engaged in education for holy orders; but it was replied, that the mischief which would result from thus opening a door to abuses, would far over-balance any inconvenience that could arise from leaving the matter as it stood. A clause in the bill exempted all dissenting clergymen not carrying on any other trade. This, it was observed by Mr William Smith, would be peculiarly

May 18.

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hard upon the Baptist teachers, who had in many instances so little salary, that they became booksellers or stationers, being however really clergymen; he therefore proposed an amendment to remedy this inconvenience. But Lord Castlereagh objected, that nothing was more usual than for masons, bricklayers, and other handicraftsmen, to set up for spiritual teachers, and the clause now proposed would most erroneously include these unworthy objects within its provision. This, however, might easily have been obviated. The Baptist ministers being not only a highly respectable, but also a well-educated set of men, there could have been little difficulty in devising a benefit of clergy, which would have distinguished between the learned and the ignorant. The clause which prohibited insurance, and required persons who paid the fine to sign a declaration, that it was not paid any otherwise than with their own property, was strongly opposed. Lord Castlereagh assented to a suggestion of Mr Davies Giddy, that parents should be allowed to pay for their sons, and masters for their apprentices or servants: but it was insisted that the prohibition of insurance was absolutely essential to render the bill effectual.

June 3.

On the last reading of the bill, Sir Francis Burdett renewed his objections to it both as oppressive and unconstitutional. It was at once, he said, burthensome and ineffectual; harassing to the subject, and completely impotent as a measure of national defence. It ought rather to be called a bill of pains and penalties, than a bill for the defence of the country; as it contained not less than eleven penalties! The condition of the people, upon whom the existing taxes already bore too heavily, would be rendered much worse by this oppressive measure. But the Noble Lord seemed to act upon the principle of "Evil, be thou my Good!" He had altered the system of Mr Windham, which must, in its natural tendency, have considerably added to the eligibility of a soldier's life; and he now proposed to pervert the character and habits of the British people at large, and subject them to the lash,—a practice detrimental to the service itself, and as such wholly exploded in the French armies. If such a system was to be carried into execution,—if the poisoned cup was to be coolly administered to the lips of Englishmen,—it was fit that it should be furnished by the self-same person who had viewed with coldness the scenes which were witnessed in Ireland. A delicate word might sometimes be used to express a barbarous action; and, in this light, the delicate term *discipline* might be used to convey an idea of lacerating men's backs,—of tearing, by means of the scourge, the live-flesh off men's bones. This is by some called *flogging*, said Sir Francis,—and, if the Noble Lord, through delicacy, calls it *discipline*, I have only to wish that he may keep his delicate *hands* off the backs of Englishmen.

It is probable that the manner in which Sir Francis Burdett advanced his opinions deterred many persons from supporting him. Unquestionably it was a fair and weighty objection to the bill, that it subjected men by compulsion to a system of laws, which even those who contend for its necessity must admit to be severe and cruel. The Marquis of Buck-

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ingham viewed it in the same light, and when the bill was brought into the Upper House, proposed, as an amendment to the clause which subjected the Local Militia to the Mutiny Act, that no sentence of a Court-Martial, for inflicting corporal punishment, should be carried into effect, until submitted to his Majesty, or to the Commander in Chief. Had the amendment been thus temperately suggested at first, it might not improbably have been admitted. Lord Mulgrave, however, replied, that it was indispensable to preserve a due subordination. If the ranks of the Local Militia were filled from the lowest classes of society, such a check would be absolutely necessary; if they consisted in a great measure of individuals of a superior description, their conduct would be such as to render any exercise of the provisions of the bill superfluous.—The Earl of Selkirk, consistently with the opinions which he had formerly published, would have had the whole youth of Great Britain, between the ages of eighteen and twenty-five, enrolled, calling upon all classes without distinction, and allowing neither of substitution nor pecuniary compromise. With this view, he moved that the ballot should be abolished. Earl Stanhope supported his amendment. He wished the bill to approach in its nature to the old *posse comitatus* of our great Alfred. Such was the kind of force most likely to make a bold and successful opposition to an invading enemy,—not large standing armies. Austria, Prussia, and the other old governments, had standing armies, and they fell like ninepins before the attack of the French.

June 17.

The people in general seemed to approve of the Local Militia Bill, as far as it went;—the needless and absurd expence of regimenting the men, and the mischievous severity of martial law, excited little interest in them; and, as it had been one of Lord Castlereagh's earliest measures to bring back the ballot, they had not been exempted from its operation long enough to feel the blessing of emancipation. The general objection was, that the bill did not go far enough; and upon this ground a petition was presented against it by Major Cartwright. That venerable patriot,—never was any man more rightfully entitled to the honourable appellation,—had, some years ago, published a plan for arming the people, as being a system naturally and necessarily growing out of the principles of the *posse comitatus*, deducible from our common law, an integral part of our constitution, coeval with, and essential to, our liberties. To that system we shall come whenever this country is blessed with an enlightened ministry; it will relieve us from the burthen and the danger of a standing army; it will unite the characters of the soldier and the citizen, each liable to be degraded when they exist apart, and it will for ever secure us against even the threat of invasion.

Sir Francis Burdett renewed the subject of martial law, by moving,

June 30.

"That there be laid before the House, early in the next sessions of parliament, regimental returns of all corporal punishments sentenced and inflicted during the last ten years, in every regiment of regulars, militia, garrisons, and artillery, specifying the causes, the sentences, and the number of lashes given at one or more periods."—The Secretary at

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War, Sir James Pulteney, rose to give this motion his decided negative, upon the plea that it could produce no good, and might produce great evil. There was nothing, he said, which history made more evident, than that a body of men subjected to military discipline, and governed by a particular law, were much more to be depended on in the field, than those who were not disciplined. If this, then, were to be considered as a general truth, he saw no reason why, at the present moment, and with such an enemy as we had now to contend with, the discipline that had so long subsisted in the British army should now be shaken.—Sir Francis replied, that a matter of greater importance, or more peculiarly important to the present times, could not possibly be submitted to the consideration of the House, at a time when the army comprised so considerable a portion of our population, and when, by the institution of the Local Militia, every man in England was affected by the military code. Old trite observations, of discipline being a necessary thing, and of disciplined troops being better than those which were undisciplined, were neither relevant enough, nor weighty enough, to be entitled to put a stop to all discussion upon the subject. Blackstone had said, that the mutiny act was an act hastily penned, and wished that it should be some time or another submitted to the deliberate consideration of parliament. Was it extraordinary that he should view the subject in the same light that Blackstone viewed it; or that he should think this a time peculiarly proper for such a consideration? When the whole population of the country were becoming military, and perhaps ought to become military, at such a time it was peculiarly necessary that the military code should be made as congenial to the feelings of the nation as was consistent with the proper ends of military discipline; ends which might certainly be effected by less exceptionable means. If the information for which he asked was laid before the House, and the House, upon deliberate examination, found that the system of corporal punishment could not be got rid of, it would at least be satisfactory to know that the subject had occupied the serious attention of the Legislature. It might perhaps be found, that the system was at least capable of receiving a good deal of modification: and that it should not be left to the caprice, folly, or accidental disposition and character of mind of particular commanders, what punishment those under their command were to be subject to. It was well known in the army, that under one officer corporal punishments were seldom or never known in a regiment; but that, when the same regiment passed under the command of another officer, they became frequent. The 15th light dragoons, for instance, had formerly gained reputation for discipline at home, and for good conduct abroad. It had been for nearly eight years under the command of an officer, who was not fond of inflicting punishment; and in the space of eight years there had been, as he understood, but six corporal punishments in the regiment, which was at that time remarkable for its discipline and good conduct. That regiment had now got another commander, the Duke of Cumberland, and he was informed, that, in less than half that time, there had been no less than eighty punishments, and

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that the regiment was likely to be spoiled.—The Right Honourable Secretary said, that discipline must be kept up in an army; this every body knew:—but other armies kept up their discipline without the punishment of the lash;—nor would he believe that there was any thing in the character of English soldiers which required a much greater severity of treatment than any other army.

Lord Castlereagh answered by noticing, as was to be expected, the particular instance which Sir Francis had specified, and by accusing him of a settled and systematic intention to bring the military codes of the country into disrepute. The statement which had been made, he said, was a most injurious misrepresentation. No soldiers excelled the English soldiers in their attachment to their king, and their fidelity to their country; none who testified it more when their fidelity and attachment were put to the test. This irrelevant reply exposed his Lordship to an obvious retort from Lord Folkestone, who said he agreed entirely in the eulogium upon the character of English soldiers;—but that very eulogium was an argument in favour of the motion, as it showed that such men did not deserve to be subjected to more disgraceful and severer punishments than were used in any other armies in the world. If, by the returns moved for, it should appear that those punishments were not very frequent, and that they were administered in a steady, even course of justice, then the production of such a return would be the best answer that could be given to Sir Francis's speech. If, on the contrary, it appeared (as he believed no person out of that House would deny,) that the system of punishment was by no means uniform or regular, but was different in one regiment from another, and in the same regiment when it changed its commander, it would be evident that this was not an equal or impartial code, and that the system ought to be reformed or modified. Four persons only were found to vote for the motion. Yet Mr Windham, when he opposed it, admitted the evil, and hoped it would be corrected in a gradual manner. This would be best effected, he said, by countenancing those officers who kept up the discipline of their regiments without making such punishments often necessary; and by discountenancing those who only preserved discipline by the frequency and severity of them. The feelings of the officers, and the fashion of the service, would do more to diminish those punishments, than could safely be done by the legislature. Earl Temple, who also opposed the motion, thought it might do a great deal of good to have the attention of the different commanding officers directed to the subject: they, perhaps, by consulting together, might find out other means that would be equally effectual in preserving discipline, and not so obnoxious to the feelings of men in general. And he did not conceive that the motion of Sir Francis had justly subjected him to any reproof, as it was notorious that the punishment of the lash was much less frequent in foreign armies than in ours.

Feb. 9. Another question of considerable importance, connected with our laws of war, was brought forward by Sir Francis Burdett. It had been stated, he said, in the public prints, that his Majesty had granted large sums out of the proceeds of proper-

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ty belonging to nations not at war with this country, to several branches of the Royal Family, and particularly to the Duke of York. He asked, therefore, of the Chancellor of the Exchequer, whether this statement were correct; and if so, upon what ground it was that his Majesty could seize the property of nations not at war with Great Britain? Mr Perceval replied, it was true that the property had been seized previous to a formal declaration of war, but war had since been declared, and the question respecting the property referred to the competent tribunal, by which it was condemned. The right of his Majesty, therefore, grounded upon such a decision, was incontrovertible. It was also true, that his Majesty had granted a certain sum out of the proceeds of such property to each of the junior male branches of the Royal Family, and to the Duke of York among the rest. In consequence of this reply, Sir Francis moved, "That there be laid before the House an account of all captures made at sea by the naval forces of this country, which were claimed to remain, and which did remain at the disposal of the Crown, since the year 1792, specifying each capture and its amount, with the particular appropriation of the proceeds thereof." Mr Perceval replied, that undoubtedly the Honourable Baronet had a right to know what was the gross amount of the fund so produced, and what part of the proceeds remained undisposed of at the present time. To these points he recommended him to confine his motion. If afterwards he should require an account of the mode in which that fund had been appropriated, it being completely under his Majesty's controul, the House would doubtless expect some strong allegations before they would consent to his request. Sir Francis made answer, that he had no objection to follow the line which the Chancellor of the Exchequer chalked out; for the great object which he had in view at that time was to have the amount before the House. He had not, indeed, as yet, stated any facts of misapplication; yet he apprehended the House would not endure that so large a sum should be at the disposal of the Crown, without any inquiry, even although it should be admitted that the Crown had the legal right; of which, however, considerable doubts were entertained.

Feb. 11.

Upon this the Advocate-General, Sir John Nicholls, rose and said, before the House proceeded any further, it was proper that it should know what grounds could be made out for an inquiry. The captured property came to the King in a double capacity: that which was seized before the declaration of war, belonged to him *jure coronæ*; that which was seized afterwards, was his as Lord High Admiral, whose rights accrued to the Crown, when the office was put into commission: but it was the custom to give up what part belonged to him in this capacity, that is to say, all that was captured after the declaration of war, to the captors. Another species of property was that which was captured in port, or by such as were not licensed captors. This was properly the droits of Admiralty, and belonged to the King in virtue of the office of High Admiral. In 1795, when the French entered Holland, encouragement was held out to the inhabitants to remove to a neutral country; in

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which case the property detained here on that occasion was to be restored to them: but, as they had not done this, it was condemned to the Crown. The Spanish property seized before reprisals, in 1796, was also condemned as droits of Admiralty. On the breaking out of war, in May 1803, hostilities were not commenced against Holland till the 16th of June following: Dutch property, however, was detained in the mean time, and afterwards condemned as prize to the Crown. Spanish, Prussian, and Danish property was condemned under similar circumstances, the captors having no claim; and, in case of a convention, to restore it at the end of the war, the Crown would be bound to do so. But no convention of that sort existed, and consequently the property remained at the disposal of the Crown. How then was it applied? A moiety, or perhaps two-thirds, was granted to the captors; part, to the extent of two millions, had been applied to the exigencies of the state; part to the relief of those who had suffered from the breaking out of the war; part to the Spanish merchants, whose sequestrated property the government of Spain had engaged, by the treaty of Amiens, to restore, but never fulfilled its stipulation: another part granted to captors, who had not been allowed to act under the ordinary discretionary powers; and another to those who suffered from the insolvency of captors. These had been the different modes in which this property had been disposed of; but he did not by any means wish to keep out of view, that a very small part of it had, out of his Majesty's favour and liberality, been conferred on the younger branches of his family. Was he the only father in the kingdom who was not to be allowed to make grants, out of funds appertaining to him by law, to his own children? If any thought so, he was not ashamed to say, that he differed from them. The House would dispose of the motion as it pleased; but no instances of misapplication had been stated, no grounds of inquiry had been laid.

The debate now diverged to a subject which equally surprised the House and the public. Mr Lushington said, he would state one instance of the misapplication of these funds. Sir Home Popham had, in the year 1787, being at that time a lieutenant in the naval service, obtained leave of absence on half-pay. He went to Ostend, and there procured a ship of 500 tons, bearing the Imperial flag, in which he freighted a cargo for the East Indies. There he exchanged his vessel for an American ship, called the President Washington, of 950 tons, which he immediately christened by the name of his old ship the Etrusco; and, without scruple, transferred the papers of the smaller vessel to that which was nearly double its size. In this he carried a cargo to Canton; and having taken in a fresh cargo there, of which a French supercargo at Canton had a share, he sailed first for Ireland, and then for Dungeness, where he landed goods; that is to say, in plain English, smuggled them. Lieutenant Bowen, of the Brilliant frigate, Captain Robinson, seized the ship in Ostend roads, after a person had escaped on shore with part of the goods. The vessel was brought to judgment in the Admiralty court. During the proceedings, Sir Home claimed his share of the cargo and freight; but when it became necessary to serve a process of the court

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upon him, he was not to be found, and, in short, had absconded. The ship was condemned,—but for all the trouble, inconvenience, and loss of time occasioned in the prosecution of the business, Capt. Robinson did not receive one shilling; yet afterwards, in consequence of a Treasury warrant, signed by the Marquis of Blandford and Mr Long, founded upon a report for that purpose, reluctantly signed, as he understood, by the Advocate-General, 25,000 l. was restored to the Hon. Baronet, being the amount of his claim.—These circumstances formed part of the records of the Admiralty court.—Here, then, was an application of a large sum as a reward for a violation of the laws of the country.

Sir Home Popham, thus suddenly attacked, and charged with circumstances too well authenticated to be denied, and too palpable to be explained away, could only defend himself by speaking of his very extraordinary exertions in India at that time, for which he had received acknowledgments and presents;—how strange it was, that, after the lapse of more than twenty years, he should thus be singled out for peculiar animadversion; and that in no action of his life had he had any sort of connection with smugglers, or violated the laws of the country, without having at the same time done something which more than compensated for the injury sustained.—Sir Home Popham, in consequence of his unauthorised and unhappy expedition against Buenos Ayres, was peculiarly obnoxious to the last Administration, and for that very reason peculiarly favoured by the present. Mr Sheridan took up the subject, and was proceeding to comment upon it in his usual sarcastic manner, when the Chancellor of the Exchequer called him to order, appealing to his candour, and saying it was impossible for him to sit still and hear any member attacked under such circumstances. The Speaker expressed his opinion, that the House would best consult its own dignity by abstaining from any farther remarks upon this part of the debate. Mr Sheridan then returning to the original question, observed, that if the droits were originally his Majesty's undoubted right, still, in progress of many wars, they might have amounted to such a sum that it would be necessary to revise the right, and to say whether or not it was safe to trust the disposal of so much money out of the controul of parliament. Then, in his usual spirit of complaisance to the Princes, he declared that he not only did not censure, but he cordially concurred in, and approved of that part of the application of this money which had this day been avowed by his Majesty's Judge-Advocate, namely, his Majesty's gracious gifts to the younger branches of his illustrious family. So far was he from objecting to these acts of his Majesty's paternal generosity, that he lamented that his Majesty's royal munificence had been confined to the younger branches of his august family. Had the heir-apparent participated in it, he believed the House and the country would have not merely been satisfied, but gratified: for never must it be forgotten, that the Prince had an unliquidated claim, which, greatly to his honour, feeling for the public burthens, and the difficulty of the times, had been, by his Royal Highness's express desire, suspended, but not abandoned;

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—he meant the arrears of the duchy of Cornwall. That debt still remained indisputably due, either from the sovereign or the public; and towards the discharge of that debt, he could not conceive an application of the funds now under discussion, more grateful to the people, than in part directing them towards that object. His Majesty's munificence towards the younger branches of his august family was an act of bounty; in the latter case it would be an act, not of bounty merely, but of justice.

Sir Francis Burdett now declared, that though he had been inclined, from the candid and liberal manner in which the Chancellor of the Exchequer had expressed himself, to accede to the amendment which he suggested, yet, from the discovery of so extravagant and flagrant a misapplication of part of the money, it became his duty to persist in the original motion. Mr Huskisson, however, moved an amendment, which required only an account of the net proceeds, and of the balance now remaining. This, Mr Perceval insisted, would answer the Honourable Baronet's intention more fully than could be done by granting the original motion. When he was in possession of the amount of the fund, he might move for an account of the application of it. The amendment was then carried by a majority of 82 to 57. Sir Francis did not resume the subject. It would, indeed, have answered no other purpose, than that of calling the attention of the people to an abuse which they had no hope of seeing remedied; for by the manner in which he was told that he might move for the account, it was plainly implied that the motion would be refused.—It was brought forward late in the session in the Upper House, by the Earl of Suffolk, who affirmed, that *June* 17. if the Crown, without any inquiry on the part of the public, was permitted to devote the proceeds of these droits, enormous as they were now become, to its own purposes, it might be possible for an administration to begin and protract a war purely for the sake of the plunder which might be taken in this way. —Lord Holland said, the question was of the greatest importance. The droits had now increased to an enormous extent: and yet, in arranging the Civil List revenue, no regard had been paid to them; and we had been called upon no less than five times, within not a great space of time, to pay off the debts contracted on the Civil List, besides considerably augmenting that revenue. The specific object of the Earl of Suffolk's motion was, to ascertain the amount of the property taken from the Danes; and, as this could not be done, the returns not having yet been made, he consented to withdraw it, pledging himself to bring it forward again.

It was urged by the Treasury members, that the grant to Sir Home Popham was not a donation from the proceeds in question, but the remission of a forfeiture,—and the exercise of justice with mercy, said the Advocate-General,—the prerogative of pardon, or remission of forfeiture, is one of the brightest jewels in the power of the Crown!—As a jewel of eloquence, this sentence might have shone among the base claptraps of sentimental loyalty in a modern comedy; but it was insulting the common sense of the House to talk of justice and mercy, and the prerogative of pardon, on such an occasion.—The subject was brought

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forward again by Mr Lushington, who, after having stated the case, and proved it to the full extent of the charge, by the most incontrovertible documents, concluded with moving, "That it appears to this House, that, by a decree of the Lords Commissioners of Appeal in Prize-causes, dated the 11th day of April, 1803, the ship Etrusco, and such parts of the cargo as were claimed by Home Riggs Popham, Esq., now Sir Home Popham, were condemned as good and lawful prize to the King, as the property of one of his subjects engaged in an illegal trade:—That by a Treasury warrant, dated the 24th September, 1805, the proceeds of the said ship and cargo, amounting to 25,959*l.* 9*s.* 7*d.*, subject to certain expences, not exceeding 6000*l.*, were granted to Sir Home Popham, who had been detected in prosecuting such illegal trade: That this grant is a misapplication of public money, in as much as, contrary to all custom and precedent, those funds which have, in part, always been appropriated to reward the exertions of captors, were bestowed wholly upon Sir Home Popham, who, being a lieutenant in his Majesty's navy, had been detected knowingly carrying on illicit trade, in contempt of the laws of his country, contrary to his duty as a British subject, and to the disgrace of the character of a British officer; operating at the same time as a discouragement to his Majesty's naval forces, by depriving them of the accustomed rewards of their zeal and activity; and as an incitement to the contempt and disregard of the laws of the land, by bestowing reward and impunity on those who had been detected in the violation of them." The motion was disposed of by a direct negative, because of the merits of Sir Home Popham, and because the remission had been granted by Mr Pitt, "that great man," said Mr Long, "whose purity of character neither the voice of party, nor the breath of calumny itself, had ever attempted to sully,—that illustrious character, who, in the whole course of his splendid career, had been distinguished by the most inflexible integrity, by the highest sense of honour, and by the most perfect devotion to the cause of his country." As if the character of that minister had any thing to do with the conduct of Sir Home Popham,—unless it were admitted as a principle, that Mr Pitt could do no wrong!

May 31.

The general avidity for personal scandal and private anecdotes, is one of the many melancholy indications of degeneracy in the present age. In this respect the public are like women. Sir Home Popham and his speculation in tea amused our talking politicians, and the weighty subject of the droits of Admiralty * was forgotten. That question must, however, be resumed. It is not becoming the dignity of England, that the Crown should derive any other advantages from war than those of honour and increased dominion, after the honourable manner of old times. The Crown should be above the suspicion of delaying its declaration of war for the sake of appropriating these droits,—above the temptation it must be supposed to be. This right

* There was a well-conceived, though clumsily-executed, print upon the subject. The Lion and the Unicorn were represented as rampant over a heap of treasure; half of the royal motto was hid behind their bodies, so that only the words *Mon Droit* were to be seen.

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of the Crown was formerly exercised only towards those ships which were seized in port;—and as those ships lay at anchor, to be taken possession of by the first boat which was dispatched for the purpose, there were no captors who could complain. The first instance wherein ships taken at sea in the ordinary course of warfare were thus claimed as droits, was at the commencement of the last war with Spain;—the pretext was, that our Spanish merchants were to be indemnified with the proceeds:—but that the conduct of the Crown in applying this money to its own uses, and in grants to the different branches of the Royal Family, was considered by the ministers themselves to be as unusual, as it must needs be unpopular, is manifest from the circumstance, that, when the fact was first stated, it was positively denied in the ministerial newspapers. If the Royal Family be not sufficiently and amply provided for by the State, let their revenues be increased; but never let it be said, that they secure for themselves the first fruits of privateering!

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CHAP. VI.

Debates respecting Ireland.—Mr John Giffard's Appointment.—Dr Duigenan's.—Maynooth College.—Motion of Sir J. Newport respecting First-Fruits, and of Mr Maurice Fitzgerald upon the Petitions for a Commutation of Tythes.—Mr Sheridan's Motion upon the Petitions complaining of cruel Usage in the State Prisons.—Catholic Emancipation.

It is a melancholy task to record the parliamentary proceedings in this, or any other session of the Imperial parliament, respecting Ireland. The insolence, rather than the intolerance of one party, the factious rather than patriotic interference of the other, and the utter indifference towards the real grievances of that miserable country, which has been uniformly displayed by both, give little hope of any amelioration.

The first Irish question which was brought forward, was a motion of Sir John Newport's, That there be laid before the House a copy of the patent by which John Giffard, Esq. has been recently appointed to the office of Accomptant-General of the Customs in Ireland, together with a statement of the manner in which the vacancy of the said office took place.—The case was this: Mr Giffard, in the year 1805, held a place of 700 *l.* a-year in the Revenue Office. The Catholics were at that time holding private meetings, to concert the best mode of preparing and presenting a petition to parliament; and the Earl of Fingal, a nobleman of distinguished moderation, presided at these meetings. The Irish government were instructed by the government of this country, to prevent, as far as possible, any irritation of the public mind upon this occasion; and the Under Secretary was even instructed to send a confidential person to Mr Giffard, to acquaint him with the wishes of government, and its especial desire that no discussion on the question should be agitated in Dublin. Mr Giffard, however, declared, that nothing should deter him from "giving a licking to the papists;" and, in spite of repeated admonitions, he made the most violent and offensive speeches, in the Common-Council, against the Catholics; for which Lord Hardwicke deprived him of his place. This measure gave offence to some of the Irish Protestants; and Lord Hawkesbury, much as he disapproved of Mr Giffard's intemperance, regretted that he had been displaced,—for there was a cruel circumstance to be pleaded in excuse for him. During the rebellion, his

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son, a youth of seventeen, who was a lieutenant in the 32d regiment, was stopped in the Limerick mail by a party of the rebels. They shot one of the horses to prevent the coach from proceeding; then went up to him, and asked who and what he was? An officer, he replied, on his way to Chatham. Was he a Protestant? was the next question: he avowed that he was: They held a short consultation, and then told him they wanted officers, and if he would join them, and take an oath to be true, they would give him a command; otherwise he must die. It was in vain to remonstrate;—they attacked him upon his refusal,—being strong, active, and armed with pistols, he burst from them, and seeing lights, and hearing voices in a house hard by, vaulted over a high wall, and ran there for shelter;—the voices which he heard were those of a party of savages who had just piked the master of the house and his granddaughter, for being Protestants.—These wretches met him, murdered him also, and threw his body into the same ditch with those of their former victims. When this circumstance is considered, great allowance is to be made for Mr Giffard's violence; nor could the Irish government be justly censured for appointing him, after more than a year had elapsed, to another office. No good could possibly arise from Sir J. Newport's motion; and it was justly negatived.

There was, however, another personal question brought forward, of a very different character. Dr Duigenan, a man who had distinguished himself by the most virulent and inflammatory invectives against the Catholics, was appointed a privy-counsellor of Ireland. It was not possible to offer a greater insult to the whole body of Irish Catholics, than this appointment. The plea advanced in justification by Sir Arthur Wellesley, the then Chief Secretary, was, that Dr Duigenan held the office of Judge of the Prerogative Court, the holders of which, with the exception of his immediate predecessor, had sate in the Privy-Council; there was much ecclesiastical business, relating to glebe-houses, and to the union and disunion of benefices, before the Council; and the presence of the Judge of the Prerogative-Court was necessary for the dispatch of this business;—he was to be privy-counsellor for ecclesiastical affairs. Sir Arthur added, as his own opinion, that every man, without distinction of religion, ought to be called upon to do service to the state, when he was particularly qualified to do so; and on that ground this appointment was to be approved. He allowed, indeed, that the learned Doctor had been sometimes hurried into language too warm, and perhaps indiscreet.—Mr Beresford also asserted, that whoever charged the Roman Catholics with being bad subjects, libelled and belied them;—but to call in question any appointment for language made use of in parliament, however indiscreet, was at once to interfere with the prerogative of the Crown, and the first privilege of parliament, freedom of speech. The plea, that Dr Duigenan's advice was wanted in ecclesiastical matters, was refuted by Sir John Newport, who appealed to the fact, that the names of two or three bishops were attached to every proclamation issued from the Castle of Dublin. No other justi-

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fication was attempted; and the whole of the ministry were obstinately silent. The stinging sarcasms of the opposition, and the weightier remonstrances of more independent members, produced no effect; they remained silent till their opponents were weary; —and the scene was terminated by a vote, preventing all farther inquiry into the fitness of the appointment. It was remarked, that many zealous supporters of Administration absented themselves from the House that night.

Debates not more dignified in their nature took place respecting Maynooth College, a seminary for the education of Irish Catholics. Government had granted, in former years, 8000*l.* annually for the support of this institution; but last year it had been increased to 13,000*l.* for the purpose of enabling it to erect buildings capable of containing fifty additional students. Mr Foster, the Irish Chancellor of the Exchequer, *April* 29. now moved for the intermediate sum of 9250*l.*— Sir John Newport immediately proposed, that 13,000*l.* should be substituted as an amendment. Nothing, he said, could be more infatuated, than, at a moment when the influence of the Roman Catholic priesthood in Ireland was stated to be so considerable, to take a step so decidedly hostile to them, as to lessen the allowance from Government for the seminary. It was of the utmost importance to the Irish community, that the priests should be well educated men, and that they should receive their education at home. They had been invited to go to France for their education, to the Catholic Institution at Paris, where Buonaparte promises to restore all the Irish bourses; and the Irish Catholic bishops, in their reply, professed their gratitude to Government for the liberal support of Maynooth, and denounced suspension against any functionaries, and exclusion from preferment in Ireland against any students, who should accept the offers of the enemy of their country. Was this a proper return for their conduct? By such a step the Catholics would not be made Protestants; nor would they be made better subjects: On the contrary, they would become worse; for, by excluding from education a great portion of the priesthood, many of the parishes would be placed under the direction of uneducated men, who, entertaining a lively resentment for the neglect which they had suffered, would instill into their parishioners an abhorrence of those by whom they felt themselves injured. The detail, and the calculations, by which Sir Arthur Wellesley and Mr Croker attempted to justify the diminution of the grant, are too petty to be repeated. Mr Perceval perceived this; he felt how degrading it was to be disputing about the sum of 3750*l.*; and, admitting that no such saving should be any reason for impeding a measure of public advantage, he took his stand upon better ground. It was no part of religious toleration, he said, to make provision for educating the clergy of the tolerated sect. If it were so, they ought to go much farther; for the ministers of the Methodists, Anabaptists, and Quakers,* would, on that ground, have as good a claim to education as the Catholic clergy.—

* Mr Perceval had forgotten that the Quakers have no ministers.

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All that toleration required was, that no difficulty should be created to any measures they might take for their own education.

This subject was debated a second time. Colonel Montague

May 5. Matthew said, he was sorry to be obliged to allude to the conduct of any of the Royal Family; but it was rumoured that even the Ministers were disposed to agree to this grant, till they went to St James's palace, and were closeted for several hours with the Duke of Cambridge, after which they made the present reduction. That Royal Duke was Chancellor of the University of Dublin; he was Chancellor of a Protestant school, and might wish to put down the education of the Catholics. Unless, however, they acted liberally by the Catholics, they would run the hazard of losing Ireland. Mr C. Williams Wynn also lamented the secret influence by which the measures of the government were defeated, and the interests of the country sacrificed. Even the Cabinet, he said, could not be agreed upon this reduction; neither the Duke of Portland nor Lord Camden, nor Mr Canning nor Lord Castlereagh, both of whom were absent during the discussion, could have concurred in it. —Mr Perceval, in reply, denied all knowledge of the interposition of a high personage upon this question; and declared, on the faith and honour of a man, his firm belief that no such influence had been exercised in any quarter. By this part of his speech, and by deprecating the odious principle of intolerance, he laid himself open to bitter sarcasms; but no reply either was or could be made to his argument, that in no age or country was there any precedent of educating, at the public expence, the priesthood of a religion differing widely from the established one. On this ground he was followed by Mr Wilberforce, who maintained, that, in forming such an establishment as the Maynooth College, at the public expence, we went beyond the bounds of toleration. That, when he recollected the history of past times, it was impossible for him not to be jealous of the Roman Catholic religion. That he could not judge of the nature and tendency of that religion from its influence on certain individuals of high rank, whose minds were liberalized by the society in which they lived; the only way to judge of it was, by seeing its effects upon the great bulk of the people. No man, he said, was a greater enemy to persecution, nor a greater friend to toleration, than he was; but he hoped to be forgiven for entertaining some solicitude that the Protestant religion should at least have fair play. Mr Stephens added, in support of these arguments, that the feelings of sincere and pious Papists would revolt at the idea of educating, at their own charge, clergymen of the Church of England, to propagate what they deemed heretical doctrines; and sincere Protestants, who regarded the distinguishing tenets and rites of the Church of Rome as corruptions of Christianity, were bound, on the same principle, not to be directly instrumental in teaching what, in a religious point of view, they deemed to be dangerous errors, by educating men for the Catholic priesthood.

It was mournful to behold the British parliament employed in such discussions as these. The fault was

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in the ministry. The principle on which they rested should have prevented the establishment of the College; but when the inconsistency of establishing such an institution had been committed, it would have been better to continue the whole grant in silence than to make that principle the plea for withholding so small a part; thus taking away all grace from the grant, and irritating the Catholics far more by the debate and the deduction, than they could possibly gratify them by the donation.

Fifty thousand pounds had been voted for glebe-houses in Ireland.—It is manifest that nothing would contribute more towards the advancement of Protestantism in that country, than to render the Protestant clergy respectable, and to enforce their residence. To promote this object, Sir John Newport moved for leave to bring in a bill for

May 16. the more equal valuation of the revenue of the First Fruits in Ireland, and for the due collection thereof. He was supported by Mr C. Williams Wynn, Mr Horner, Mr Ponsonby, and Mr Maurice Fitzgerald. The First Fruits, as at present collected, yielded only about 3000 *l.*; were they properly valued, and all livings below the yearly amount of 250 *l.* exempt, there would be a net revenue of from 20,000 *l.* to 30,000 *l.* for increasing the poorer benefices. It was stated, that there were two bishopricks, each producing an income of 20,000 *l.*, neither of which paid any thing to the First Fruits. The proposed bill was not an innovation; it only followed up an old and established law of the country, and made it efficient. Parliament was called upon, said Mr C. Williams Wynn, to give efficacy to former legislative measures, which had become, as it were, a dead letter, and an unavailing instance of generosity. The Chancellor of the Exchequer had formerly said it was desirable that every resident clergyman in England should not have less than 200 *l.* a-year. This would also be extremely desirable in Ireland. This was exactly such a measure as would raise the respectability of the Protestant Church, and be the best mode of discouraging the Roman Catholic religion. Was the House, said Mr Maurice Fitzgerald, to recognise this doctrine, that while the unhappy peasantry of Ireland were oppressed with burthens and extreme taxation, the great, enormous, and lucrative incomes of the clergy were not to pay any proportion, even to the support of the poor of their own order? The livings in Ireland had been united for political purposes; indeed their object appeared to be rather to supply situations for political partizans, than for religious pastors, and the diminution of the Protestants in that country, was principally to be attributed to this system of policy. The motion was opposed by Sir Arthur Wellesley, who said, the inequality in the valuation was so small that it was not worth while to alter it;—by Mr Foster, who thought it so injurious to the clergy to take from them so large a sum, that he could not agree to it;—and by Dr Duigenan, who said it would reduce the clergy in Ireland, great and small, to the greatest distress, if such a bill passed. It would be a charge almost insupportable, as a poor man would be nearly three years before he could reap any benefit from the glebe-house he might have erected. These objections were altogether irrelevant, because it had

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been particularly stated by Sir John Newport, that livings below the yearly value of 250 *l.* were to be exempted from the bill, and that it should not affect any of the present incumbents, so as to be a burthen upon them.—Mr Perceval adduced a case in point against it. In this country, he said, when a person was preferred to a bishoprick, or great living, it was felt that the product of three or four years at least of his income was anticipated by the expences, which, on his induction, he had to defray. He therefore opposed it, as an oppressive mode of regulation, burthening the clergy with a severe impost. Accordingly leave to bring in the bill was refused.

A question of more importance to the church of Ireland was brought forward late in the session. Petitions from various parts of that country had been presented, praying for a commutation of tithes; and Mr Maurice Fitzgerald moved, that they might be referred to a Committee of the whole House, not meaning to press the motion at present; but leaving it with Ministers, and assuring them that the commutation was necessary, and that no time ought to be lost, after the commencement of the next session, in bringing it forward. Mr Perceval availed himself of the opportunity which this motion afforded him, distinctly to state, that it was the intention of government to take this business into their serious consideration, they being completely convinced of its importance. He added, however, that the farther he went into the examination the more arduous did the task appear; and that the undertaking of applying a remedy to the evil appeared to be beset with difficulties almost insurmountable. There seemed to be no other difference of opinion upon this subject, than whether the commutation were easy or difficult. Mr Sheridan declaring, that a little attention might obviate the difficulties; and Mr Burton, on the other hand, affirming, that in that part of England where, for many years, he had been engaged in the discharge of his professional duties, the adjustment of tithes had ever been attended with more complication and difficulty than any other matter which had ever fallen under his notice; and that a very vigorous attempt, which had been made in Devonshire, to arrange the commutation, had been abandoned, on the experience of the impossibility of success. Difficult, indeed, as the commutation of tythes in England must appear to any person who has ever bestowed a serious thought upon the proposal, it is far more so in Ireland. Tythes of agistment have been abolished in that country by an unjust and arbitrary act of the land proprietors; and thus the whole burthen of the church-establishment was thrown upon tillage-lands, and consequently upon the poor; for when the operation of tythes was thus confined, it became absolutely necessary to increase the rate. The clergy were compelled to exact to the utmost that portion of their right which was left them;—potatoes, from the time of their introduction into the island till about the middle of the last century, had been tythe-free,—they were now assessed, and then it was that tythes became an additional cause of discontent, and afforded a new pretext for riots and insurrections to a people already too prone to violence, and too grievously burthened. Thus the abolition of tythes

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of agistment increased the burthen of the peasantry; and it is to be apprehended that they would derive little benefit from a general commutation; for what is now taken from them by the church, would then be exacted by the landlord. It is not the church that oppresses them; both there and in England the church is far more sinned against than sinning; but it is the intermediate race of vermin, proctors,* tythe-farmers, and that whole train of blood-suckers. From these plagues, parliamentary interference might perhaps deliver the poor people of Ireland; and unquestionably this would be a great and most important benefit;—but they would still be subject to the unmerciful extortions of the landhold-

* "The grievances," says a very able writer in Cobbett's Register, "arising from the vexatious manner in which tythes are collected in Ireland, are not imputable to the clergy; so far from gaining they lose by most of these transactions, which constitute the oppressions of which so many and so just complaints are made. The clergyman cannot manage his own concerns in tythes, because, in the event of litigation, he cannot be a witness in his own cause; and a direct interference would be derogatory from the character of his official functions. He is, therefore, both from feeling and from necessity, obliged to employ agents; and it is not unfrequently the fault of his parishioners, by their harrassing opposition, that he withdraws himself altogether from any concern with them, and lets the tythes to a tythe-farmer. When a clergyman does not resort to this course, he employs an agent, who is called a proctor, who is usually allowed ten per cent. upon the gross income.—But the proctor, not content with this allowance, levies an infinitely larger income from the parishioners, under the head of fees. In the spring, he and his assistants make a tour of the parish, in order to estimate the growing crops. The value they set upon each particular crop is set down in a book, the black register of their extortions; and the entries in this book govern their conduct when they come to regulate the composition. Before the harvest is gathered in, a meeting of the parishioners is summoned to attend the proctor, and often the clergyman, for the purpose of tythe-letting. Each individual agrees to a composition for his own tythes; and, as a year's time is generally given for the payment, he passes a promissory-note for the amount, first paying the proctor his fees. When the owner of the crop refuses to agree to the composition demanded, his tythes are sold to another person.—There is no such practice as setting out the tythe for the clergyman to draw it. If two or three in a parish were to give notice to that effect, it would be considered a conspiracy against the clergyman, and ample damages would be recoverable. The fees of the proctor, to which he can have no legal right, he being the servant of the parson, and sufficiently paid by his employer, amount to ten per cent. nominally upon the composition, but infinitely exceed that sum by means of his fraud and exactions. Every sum under ten shillings, compounded for tythe, he charges as ten: and every sum over ten and under twenty, he charges as twenty: so that, by rating all the intermediate sums as the decimals next above them, and imposing a fee upon each as for such decimal, he levies an exorbitant average of direct and compound per centage, of not less than twenty per cent. upon the whole amount of the composition. The tythe-farmer, also, following up the principle upon which he rents a parish, disposes of the tythes to the highest bidder. In his train are valuers, bidders, canters, and process-servers, and the whole tribe of popular pests. The proctor strips, but the tythe-farmer scourges his victims. Should the owner of the crop be disposed to compound for his tythes at any reasonable rate, a bidder is at hand to enhance the price;—should he hesitate to raise his proposal to the advanced of-

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ers and middle-men: And, till some remedy be devised for this evil, the state of Ireland must ever remain desperately and incurably bad.

These grievances are not imputable to the government. There are other evils directly imputable to government, unless they are redressed, and which in common policy, as well as justice, should be redressed as ostentatiously as possible. Mr Sheridan presented a petition

May 30. from Mr James Tandy, wine-merchant, of Dublin, stating, that above three years since, without any crime or misconduct whatever on his part, he was suspected by the Irish government of treasonable practices: That he immediately surrendered himself, and underwent several successive examinations before the Privy-Council, at which he answered fully and truly every question put to him: That after having been detained three weeks in the custody of a king's messenger, without any cause explained to him, he was committed, under a warrant from the chief secretary of the Lord Lieutenant, to the common gaol of Kilmainham, where he was confined for three years, and treated with peculiar harshness and severity; at the end of which time he was liberated, without being brought to trial, without being acquainted with the nature of the alleged charge against him, or informed who were his accusers, though he had repeatedly and urgently applied to know the same. The petitioner stated, that he had suffered severely in health, &c. and prayed for relief. Petitions of a similar nature were presented from Bernard Foy, who had been confined eighteen months in the Newgate of Dublin; Thomas Ridgeway, an English merchant, and Henry Hughes, who had both been a considerable time confined in Kilmainham gaol.

fer, a canter steps in, and intercepts the natural claim which the cultivator has to become the purchaser of the fruits of his own industry. So that whether compounding or not compounding, between the bidder's puffing, the canter's unprincipled interference, and the exorbitance of the tythe-farmer, the husbandman is sure to be the sacrifice. Whenever a parish is let by a clergyman to a tythe-farmer, he uniformly reserves the whole income which he antecedently derived from it, deducting only the allowance of ten per cent. usually given to proctors; the parishioners are subjected to contributions commensurate with the avarice and rapacity of his representative. Twenty per cent. falls infinitely short of the amount of such exactions, which frequently equal, and sometimes exceed, the income reserved by the clergyman. At the very lowest calculation, an addition of one-fifth is thus made to the burthen of tythes. The evil, however, does not stop here. Not content with the allowance made by the clergyman, equal to the proctor's salary, and the amount of his exactions in the gross, the tythe-farmer exacts the same fees as the proctor:—The allowance from the clergyman to his proctor is ten per cent., which, with twenty per cent., the estimated amount of his illegal fees, gives him a revenue of thirty per cent. upon that proportion of the tythe-establishment which is managed by him. The tythe-farmer has the same profits under the same heads, with the addition of at least twenty per cent., the lowest profit which he can derive from his farm in the tythes.——A general average of forty per cent. upon all the tythes in the kingdom, is the measure of this oppression!—Thus an establishment of 820,000 l. at 40 per cent. yields 350,000 l. to the proctors and tythe-farmers; and of this sum 140,000 l. are paid by the labouring classes."

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It would be absurd to maintain that the Habeas Corpus Act may not, on just occasions, be suspended. It is the duty of Government to omit no precautions for its own security, but it is equally its duty, wherever circumstances occur which render extraordinary precaution necessary, to be especially careful that no other rigour than what is indispensible be permitted; that the guilt or innocence of the suspected persons be investigated as speedily as possible; that, during that investigation, they be treated not as guilty but as innocent persons; and that, if their innocence be proved, the most ample recompence be made them for the inconvenience and other inevitable evils which they have endured. When these petitions were ordered to lie upon the table, Sir Arthur Wellesley said, he rather believed Government had good grounds for confining those several persons: it was about the period of the last insurrection in Dublin. Mr Sheridan justly replied to this, that the mere declaration of the Right Honourable Baronet that he *rather believed* the government of the day had good grounds for confining the petitioners, was rather a vague mode of justifying so severe an injury to them as a long and rigorous imprisonment, without assigning any specific charge, and refusing their repeated applications to be brought to trial, and confronted with their accusers. British subjects, he said, ought not to be subjected to such severities, without strong and positive grounds of crimination.

The petitions were ordered to lie upon the table, and on one of the last days of the session, Mr Sheridan renewed the subject, moving for the appointment of a special commission to inspect the condition and government of the state prisons and other gaols in the city and county of Dublin, and such other gaols in Ireland as they shall judge it proper to direct their attention to; and to investigate the treatment of the prisoners therein confined since the year 1798, where ground of complaint shall be preferred. This motion was founded upon the reports of the inspector-general of the gaols in Ireland, which, since the year 1805, had annually been laid before parliament, but, not having been printed, had remained neglected or unobserved. From these reports, it appears that the prisons in Ireland are mostly in the same dreadful state as those of this country in the days of Charles II. Some so insecure that the gaoler is obliged to keep all his prisoners in irons; some in such a state of delapidation as scarcely to afford any shelter from the elements; others so situated as to be sometimes flooded; the prisoners suffering, in consequence, all the miseries of filth, and the diseases which it generates. The character of the gaolers is in conformity to the state of the prisons; for, when prisons are in such a state, none but men of the hardest and most brutal natures will accept the charge of them. Between fifteen and sixteen hundred persons were confined in these gaols in the year 1807; information, upon oath, had not been had against one in five hundred of them, and fifteen-sixteenths of them had been discharged without trial, or any evidence having been produced that there was the slightest ground for suspecting them. To this part of the statement Mr Perceval replied, that it was not thence to be inferred that these persons were innocent. Government would have been unpardonable if they had not

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detained them; and it would have been imprudent to bring them to trial, as the names of persons to give evidence against them would have then been disclosed, and the lives of these witnesses would thereby have been endangered:—A dreadful plea; yet all persons who know the real state of Ireland must admit its validity, however they may deprecate so dangerous a precedent. But when so much severity is necessary for the preservation of the state, it becomes a more essential duty to punish all abuse of power in the subordinate agents of government. Mr Sheridan stated instances of the most wanton and insolent cruelty committed by gaolers and their superintendants. The ministers appeared to give less credit to these statements than unhappily they deserved, but they assented to the motion; and if, when the investigation has been made, they inflict due vengeance upon the persons who have so atrociously abused authority, there are few measures which would have so good an effect upon the people of Ireland. The impunity of such wretches is one of the causes which goad on the Irish to their plans of insurrection.---Let them perceive justice done in their favour, and a main motive for disaffection will be removed.

These were but skirmishes and affairs of out-posts; the general action was upon the question of emancipation, for which Mr Grattan presented a petition, giving notice that he should make a motion in consequence. A discussion arose upon a point of form. Many of the signatures had been affixed by proxy;---this Mr Grattan said, he stated to prevent any imputation that he had presented a petition purporting to express the sentiments of persons who had never subscribed it. On this account it could not be received in its present form; but the Speaker said there was the simple remedy of detaching these signatures, and presenting it with such only as were autographs. This led to a needless debate; the opposition arguing, that, as the petition notoriously represented the wishes of so numerous a body, it ought to be received without scruple, and the point of form overlooked: other members maintaining that the practice of parliament was of most substantial importance:---In proof whereof, Sir Robert Peele affirmed, that the Manchester petition, which was said to have been signed by seven and forty thousand persons, had no more than one thousand six hundred original signatures; and that many of the names annexed to it were those of men long dead:---And Mr Perceval added, that one of the members for Cork had presented a petition, purporting to be from the merchants of that city, and in a few days afterwards had informed him, that, by a letter received from that city, it appeared that the great body of the merchants knew nothing of the matter till they saw it stated in the newspapers. These instances proved how loose the practice was becoming with respect to petitions, and how necessary it was to adhere to the rule of parliament. But Mr Windham observed, that this rule, if it were enforced, might lead to a manifest inconvenience, for names might be clandestinely and fraudulently inserted in any future petition, for the purpose of having it rejected. He did not see why the fictitious signatures were to invalidate the real ones; they might let them lie dead, and count them for nothing; and if fifty or sixty genuine ones were made

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out, it would have the same effect as fifty or sixty thousand, since the importance of the petition was not denied. Mr Canning also declared, that numbers made no difference in the importance of this question, and the readiest way was for Mr Grattan to present it with such only as he could attest. This was so obvious and unobjectionable a course, that it is not easy to see why Mr Grattan rejected it, and withdrew the petition in order to procure original signatures. This, however, was done, and it was presented on the 23d of May.

The petitioners began by asserting, with confidence, that there is nothing in their conduct, as subjects, nor in their tenets as Christians, which ought to disqualify them from enjoying equal privileges with his Majesty's other subjects; and professing that they do not yield to any class of persons in affectionate attachment to his Majesty's sacred person and family, in due obedience to the laws, and in just predilection for the British constitution. "Your petitioners conceive," said they, "that they cannot offer a stronger proof of their loyalty than by humbly representing their earnest wish to be altogether committed with their country, and reinstated in a full and complete enjoyment of the English government and laws.—For the constitution of England is the great charter of this land, and the inheritance of the dutiful and faithful subjects of his Majesty. The constitution which the ancestors of some of us accepted when they submitted to the crown, and on the faith of which the ancestors of others passed over and effected their settlement in Ireland, was, that they should participate in the laws and liberties of Ireland. Many concessions of his Majesty's royal progenitors, and repeated acts of parliament, confirmed the invaluable blessing; it has had the sanction of an establishment of six hundred years; whilst the privations of which we complain are but the innovation of a century. From that innovation we appeal, in this enlightened age, to the wisdom and justice of those august bodies, in whose hands are the fate and fortunes of the empire. We appeal against acts repugnant to the sense and habits of Englishmen, and to the genius of the English constitution; against precedents not entitled, from the circumstances in which they were formed, to be immortal. We were excluded from our franchises, when the tumult of civil wars had scarcely been appeased; whilst the animosities which they produced were recent, and at the close of the convulsions incidental to a widely extended revolution of property. We were excluded at a moment when the settlement was precarious and new; upon which time and habit, the extinction of all other claims, common principles of obedience and common interests have now conferred all the validity of unquestioned and immutable establishment. Your petitioners further beg leave to recall to the attention of this honourable House, that we do not pay the penalty, neither is the blame imputed to us, of an innovating or capricious temper. We have not revolted from any institutions which challenged our obedience. We have adhered to the tradition of our fathers, the immemorial usage of the land. We profess a religion compatible with the form of government under which we are placed, accommodated to the spirit, and dear to the feelings, of the great and growing majority of our country; a religion which the existing incapacities do not seem calcu-

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lated, and are probably not expected, to suppress; for it has been deemed, in a considerable degree, to merit public encouragement and protection." They proceeded to state, that they are excluded from many of the most important offices of power, trust, and emolument, whereby they are degraded below the condition of their fellow subjects, even of the meanest rank, and stigmatized as aliens and strangers in their native land. That in the immediate effects of this exclusion, no less than four-fifths of the inhabitants of Ireland are involved, formed into a distinct people, and depressed in all their classes and gradations of rank, of opulence, and industry; in every situation of life does this degrading inferiority exist, and its influence reaches to every profession, to even the peaceable pursuits of industry and commerce. That the remote, but no less sensible consequences extend to the remaining population of the land, distracting his Majesty's people with disquietude and jealousy, and substituting an insidious system of monopoly on the one hand and privation on the other, for the tried and established orders of society, and for the salutary practice and sound principles of the English constitution. And your petitioners further humbly submit, "that, from the prejudices generated and fostered by this discriminating system, the spirit of the laws outstripping the letter, no degree of rank, virtue, or merit, can exempt an Irish Catholic from being considered an object of suspicion; and several of the most estimable privileges and advantages of a free government, to which they ought to consider themselves entitled, are rendered with respect to them inoperative." They were fully convinced, they added, "both from history and experience, that, however religious distinctions may have supplied a pretext, a spirit of political monopoly has been the actuating principle of civil dissension, and of that unhappy national misunderstanding, which has so long injured the character and lessened the value of Ireland. For they were strongly impressed with the conviction, that the continuance of the disqualifying laws is not only incompatible with the freedom and happiness of the great body of the Irish people, and detrimental to the resources of the state; but, as it is calculated to damp the ardour, and divert the attention of the nation to partial interests and party dissensions from measures of general security, it may eventually prove injurious to the strength and stability of the empire." The petitioners concluded by most solemnly declaring, that they do not seek or wish in any way to injure or encroach upon the rights, privileges, possessions, or revenues, appertaining to the bishops and clergy of the Protestant religion, as by law established, or to the churches committed to their charge, or to any of them; the extent of their humble supplication being, that they be governed by the same laws, and rendered capable of the same civil and military offices and franchises, rewards and honours, as their fellow subjects of every other religious denomination.

Petitions to the same effect were laid upon the table, from different parts of Ireland, and a counter-petition from the Lord Mayor, Aldermen, and Common Council of Dublin. Mr Grattan *May* 25. opened the debate. He began by deprecating all intemperate language, and hoping that the manner in which the question would be argued, might rather approximate the

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minds of the different parties, than remove to a farther distance the great objects of justice and of policy. With such hope, said he, I wish gentlemen would apply the balm of oblivion; that they will not apply those topics which can only serve to irritate and inflame; that they will not go back to the battle of the Boyne, nor to the business of 1745, nor indeed to any of those afflicting periods, in which, unfortunately for my country, parties contended against each other. If you go back, so will the Catholics; if you make out a law against them, they will make out a case against you;---then we shall have historian against historian; men of blood against men of blood. The consequence will be that the parties will remain unreconciled and irreconcilable, each the victim of their own prejudices, and the result will convince you that the victory remains only for the enemies of both. It gives me great pleasure to see that the sense of public danger has recalled men's minds from those narrow principles which a ridiculous fear of popery had so long encouraged. Those fears are now removed; and therefore it is that you do not find upon the table of this House any one petition against the Roman Catholics, save one presented this day. Such symptoms augur well for the security of the empire, and I congratulate the public upon it. It is an example of liberality well worthy the wisdom of a great nation: of that wisdom which prompted you to form an alliance with Austria. You restored the Pope; you took Catholics into your pay; you afforded protection to the Braganza family; you lent aid and assistance to transplant that family to South America; you planted popery there; in so doing you acted wisely. "You have shewn the innocence of the Catholic religion, that there is nothing in it dangerous to the state; and you have thereby falsified all those idle notions of the vices which some persons attribute to that mode of faith. What then I ask of you this night in behalf of your fellow-subjects is this:---that in the same spirit of wisdom and of liberality, you would extend to one-fifth of your fellow-subjects those beneficial principles which you so wisely and liberally extended to your foreign connections professing the Roman Catholic faith. The petition prays relief from certain disabilities and restrictions which the act of the 33d of the king did not remove. That act admitted them to all offices civil and military, with the exception of about forty in number, and it excluded them from seats in parliament. It is against these exceptions they now petition."

"It has been objected against the Catholics, that they acknowledge the power of a foreign potentate, and that they are not bound by the obligation of any oath which they make with persons of a different religion: that is to say, that one-fifth of the population of the whole empire are destitute of all those moral principles which regulate the social system; that they are execrable, and are rendered thus execrable by their religion, and consequently unworthy of participating in the rights and privileges which their fellow-subjects enjoy. Such a doctrine goes this length; and, if such be the true character of the Roman Catholic faith, it follows, that the religion of the greatest portion of the civilized world is worse than useless. In the year 1791, questions upon this subject were put to the universities of Paris, Louvaine,

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Douay, St Omers, Salamanca, and Valladolid, and they answered, that Catholics do not hold themselves absolved from their allegiance to a Protestant Prince; that the Pope has no temporal power in England, either as to deposing a prince or otherwise; and that faith is to be kept with heretics: and they declared, that such principles are condemned, reprobated, and stigmatized by their religion. The Catholics of Ireland also disclaim the deposing power of the Pope, renounce the right of his claim upon property, deny his infallibility, and swear to support the Protestant state and church. From this I am justified in inferring, that there is no moral incompatibility between the two religions.---But it is contended that there is a political incompatibility, though, to prove that the acknowledgment of the Pope's spiritual supremacy, the belief in transubstantiation, the invocation of saints, and the other points of Catholic doctrine, are incompatible with allegiance to the house of Hanover, is to believe as great a miracle as transubstantiation itself. There is now no Catholic Pretender on the continent; no Catholic association or confederacy in Europe:---And will you, while the Protestant religion cannot procure you one single ally on the continent, with the exception of Sweden, will you consent to disqualify one-fifth of your subjects at home? Will you direct your strength and vigilance in array against a Catholic combination, at a moment when your danger is the result of an anti-English conspiracy among the countries of Europe, formerly your allies? If you do this, then do I contend that you do not give your country fair play, but you do give to the foreign enemy the best means of effecting his purpose."

"It has been argued, and with much force, that the power of the Pope in the nomination of bishops may be considered of a dangerous tendency. With respect to this power, the Catholics themselves nominate a bishop; the Pope gives him his spiritual capacity. If this power be thought dangerous, the Catholics have authorised me to make this proposition;---that, in the future nominations of bishops, his Majesty may interfere and exercise his royal privilege by putting a negative; in other words, that no bishop shall be appointed without his entire approbation. If it be true that Buonaparte has controul over the Pope, the Pope over the Catholic clergy in Ireland, and they over the laity, why then, it follows, that Buonaparte has controul over a very large proportion of the British army and navy. It is for this reason that I wish the House to go into a committee on the petition, and come to a resolution approving of the proposition; and it is the more necessary, because it has been contended, not that the danger will arise, but that it now really exists. Here there is a power to be vested in his Majesty, which must do away the danger, by destroying the influence of Buonaparte, if such influence actually exists. The proposition will make a double connection; the two churches will be as one, and the king at the head. By these means all danger will be removed, the moral and political stability of his Majesty's dominions will be established, and the constitution will be invigorated and strengthened by connecting the Catholics with the parliament, and the king with the Catholic cler-

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gy, by the interference which he must of course exercise in consequence of the appointments."

"You told us that the union would consolidate the resources and the interests of both islands. I now call upon you to unite the strength and energies of both by fulfilling the contract. Unless you carry that measure into effect, then do I contend that it was an act of ambition *quoad* the parliament, and an act of bigotry *quoad* the people. If your fears for the security and permanence of your constitution be sincere, why do you not attend to the source whence the real danger arises? Does it proceed from domestic treason, or from the fixed and indefatigable hostility of the foreign enemy? In either case, where would you look for security but in the people? Why, then, I say, you would act wisely in agreeing to the prayer of the petition, by attaching to you one-fifth of the whole of your population. Are you then so foolish or so frantic as to persist in the exclusion; or do you look for security in the extravasated ambition of depriving one-fifth of their subjects of their right, and depriving the empire of their assistance? Is your constitution in most danger from the attacks of a foreign enemy, or from firing the resentment of one-fifth of your people? Is a tree more firm when its roots are torn up, or a column more secure when the base is taken away?—Or will you tell me that what in the natural world is radical weakness, constitutes, in the political world, both security and strength? No! your very measures prove that you feel the insecurity of your policy. When you passed your levy-in-mass act, and your training act, you did not extend them to Ireland,—for this plain reason, because you had not extended your constitution. You felt the fatal effects of that exclusion, upon which the Irish parliament was stranded. But it is in vain to delude yourselves by a concealment of the fact. The day will arrive when the act of settlement, and the Protestant establishment itself, must be defended by Catholic co-operation."

"It has been asserted, that the Irish Catholics are hostile to the state, and that their hostility extends to those who profess the Protestant religion. I am ready to admit that certain stings may have been left behind by the long continuance of the penal code. You charge my countrymen with crimes which they do not merit; and you forget that the root of those crimes lies in that abominable code with which you have loaded my country. It was well observed, by Lord Avonmore, that the penal code had long been hovering over Ireland. The penalties inflicted by that code received the Catholic at his birth; they stood by him at his bridal bed, and they did not leave him at rest even in his coffin. It is true that part of those penalties have been removed, but the wisdom of the united parliament would do well to remove them altogether. I will now proceed to the argument, if such it can be called, of the dangers likely to arise with respect to the settlement of property, in consequence of admitting the Catholics to political power. Considerable alarm has, I know, been excited by a map, containing an account of the distribution of property, among the ancient landed proprietors of Ireland. The fact is, however, that this map, which is to be found in the auditor's office, was drawn

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up by Sir William Petty, for the use of the then government;—a copy of it had, by some means, been preserved in France, and a copy of that copy had been obtained by a person in the service of government, and retained as matter of history; and this was the source of that publication which created so much unnecessary alarm. There are but few Catholics who could claim by ancient descent, even if that claim were to be allowed, but there are many proprietors of land who hold by recent purchase. It is a gross mistake to estimate the whole of lands held by Catholics, at the yearly amount of 65,000*l.*; their proportion is from 500,000*l.* to a million in fee simple. Is a revolution in landed property to be apprehended from persons thus circumstanced? and as for any danger from the tenantry, they are in a situation of poverty from which it is utterly impossible they can emerge, and cannot be formidable to the landed proprietors. The Protestant inhabitants of no fewer than nine counties, sensible that their establishment and the state could not be defended without the aid of the Catholics, have presented petitions in their favour. A regard for their own property was the chief reason of this noble example of liberality and sound policy. They are not afraid of war, but they are afraid of the continuance of the disabilities. What answer will you make to these recommendations? You may leave the country to divisions; but, if you do, you will thereby endanger the empire, for the rising of rebellion will be the consequence of repeal.

Is it worth while, for the sake of a paltry monopoly, which can be but temporary at last, to refuse the recommendation of so large a portion of your Protestant subjects? Will you adopt so narrow a line of policy, when the Catholics allow you a controlling power over the nomination of bishops? If so, you leave the country to ruin, and the church to the Pope. It has been argued that the object of the petition is of little value, and that it is not much regarded or desired by the petitioners themselves; but will it be contended by those who have expended so much money in obtaining seats in parliament, that seats in parliament are of no value? It has been said that they are not desirous of seats in parliament; it is not, however, in human nature to be satisfied with being excluded from situations of honour and dignity. The exclusion of Catholics from parliament and the state, is not only degrading, but dishonourable in the highest degree. If there be an indifference to that exclusion, it proves only that they are so humbled and debased by tyrant laws, that the spirit of attachment to the constitution is subdued among them. If so, it is highly requisite immediately to plant a soul in the body, which may animate it from the centre to the extremities.

"The coronation oath is pleaded against them;—it is not parliamentary, certainly, to talk of the King's oath, but it is a fit subject of parliamentary enquiry to ascertain whether or not the representation is just. We must not allow the enemies of the Catholics to abuse, in the first place, the religion of God, and, in the next, the piety of his Majesty, without contradiction or restraint. The kings of England swear to maintain the liberties of their people; they are, therefore, subordinate to the law; they cannot invade the liberties or religion of any man without committing a breach of their oath. They are not sworn to maintain the penal

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laws. If the King, according to the provisions made respecting the church, is sworn to maintain them entire and without change, why then the church is placed beyond the reach of human interference, and is also beyond the executive and legislative power. The penal laws are included in those provisions, and if the repeal of such laws is a breach of the coronation oath, every sovereign, since the time of Henry VIII., is perjured. This oath cannot be interpreted in a manner laid down by the enemies of the Catholics, without making the rights of the church the wrongs of the people, by incapacitating one-fifth of his Majesty's subjects from contributing their best services for the benefit of the state. The church is, in consequence, made a confederacy against the state, and the King a party to it."

"Austria has left you, Russia is your enemy, Prussia is annihilated,—nothing remains but nations leagued against you with the common enemy. You have nothing to depend upon but your own exertions. Will you, then, in such a crisis, foolishly and madly depend upon political divisions and religious schisms to prop a falling world? I know it is the reasoning of many good men, and also of many bad men, to deviate from their usual habits upon questions like these. In astronomy they will adhere to science, but, in religious matters, they think themselves entitled to adopt certain privileges, over reason and over morals. They disregard the suggestions of one, and disown the precepts of the other. They desert the limits of one world, without arriving at the other which they hoped to attain. They fly from all obedience to the moral laws of the universe, and in the heat of their fancy, perverted and frenzied as it is, construct a world of their own; until callous in the obstinacy of their infatuation, they fix permanently on conclusions which they bring back, and which are pernicious to both, and common to neither, and on these conclusions they lay the foundation of danger. To avert this danger, I propose a measure which will produce the desired object of all;—and that measure is mutual concord. Banish that fatal principle of exclusion, and we may then indeed say *esto perpetua!* Release your Catholic brother from that personal degradation which meets him in every walk, which he sees before him daily at his own door, and which he finds illustrated in the expressions, the toasts, and the merriments of the unfeeling monopolist. Let the Orange-men recollect, in time, that, though there may be such a thing as exclusive religion, there cannot be an exclusive allegiance. Let government be convinced, that, unless they renounce this narrow jealousy, their system will produce, in Ireland, bad subjects, but worse rebels, easy to conquer, but impossible to govern.

"The best way to guard the Catholics of Ireland against foreign attachments, is, by discouraging religious bigotry among the Protestants. Do not believe the idle tales which tend to calumniate my countrymen; such as their not chusing to live among Protestants, and of their refusing to take Protestant servants; if you go into the committee, all these false assertions can be disproved. The battles in Egypt would never have been fought, the victory of Maida never gained, if the Catholics of Ireland had not gone hand in hand with their Protestant brethren in every duty of good subjects, and in every feeling which belongs to good citizens. The peasantry of Ireland

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are not slaves, nor the landlords tyrants: such language is calculated to render the upper ranks odious, and the lower ranks contemptible. If you want to form a judgment of the character and capacities of Ireland, look to what she has effected in the short space of twenty-five years. In that short period the people added one-third to her commerce, increased her revenue five-fold, gave an accession of one-third to her population; and have, besides, acquired a free trade and a free constitution. These are the barbarous accomplishments of Ireland. The Catholics of Ireland have a trial by jury, are admissible to all offices but the highest in the state; and, above all, are a constituent part of the country. These are the rights which they possess, and these rights they would not surrender to the Kings of England, and they will not surrender them to the enemy. I will not, therefore, call the petition, which now lies on your table, a petition for emancipation; for, even though the prayer of it should not be granted immediately, the Catholics will still retain the same desire of opposing the enemy---the same zeal in the cause of the empire. Great Britain, with Ireland by her side, has to count upon five millions of inhabitants, ten millions of exports. She pays two millions of rental, two millions of interest, and contributes one-third of her population to the army and navy. This is the stake which Ireland has in the empire, and this must convince you how very wicked and foolish it is to govern by any paltry acts, striking at the root of her liberties. There is on both sides ample ground of attachment; and, let the decision this night be what it may, it will not create any division in the interests of the two countries. Suppose the navies of Europe, with their armaments, were to sail at once from the different ports of the enemy, and proceed directly for Ireland, what measures would be most advisable to take upon that occasion for its defence.---Would you send an especial messenger to array the corporations, and put down the Catholic hierarchy, and make them take the oath of supremacy? On the contrary, would you not rather send to incorporate them in the general defence? The argument applies at the present moment most forcibly, for if you would do this at such a moment, why do you not now? when you have time, do something which shall put an end to these death-doing divisions, and prepare for that great battle which sooner or later must be fought.---How would you blush, if it were possible for your ancestors to learn, that you lost the hereditary freedom of the land, because you were more alarmed at the edicts of Constance, the decrees of the Lateran, and the councils of Trent, than you were at a foreign enemy! The Catholics do not approach this house with servile humility, (if, in the course of what I have said, I have uttered any thing which may savour of such an idea, I humbly beg their pardon;) they come to support your empire and also to share your privileges as freemen; now, when Austria has turned against you, when Russia is no longer your friend, when Prussia has ceased to exist as a power---they now wish to share your glory, to share the constitution, and, in case of necessity, to go to the grave with you with arms in their hands! This is their prayer, and it is on these grounds that I move to refer the petition to a committee of the whole house. I move it on the ground

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national justice, and shall conclude with two wishes.—First: That you may long preserve your liberties; next, that you may never survive the loss of them."

Mr Grattan's speech is thus given at the utmost length which the limits of this summary will permit, as much in deference to his great eloquence and splendid talents, as because it comprises all that was advanced in favour of the subject. It was also the more necessary to be especially careful in doing full justice to his arguments, because the fatal flaws which they contain will hereafter be pointed out. There have been few debates in which all parties were placed in so humiliating a situation; for, on the one hand, the ministers insulted their opponents for having waived this question when they themselves were in power; and the opposition, on the other, accused them of breach of promise made at the union, and base sacrifice of individual opinion to the desire of place; each charging the other with motives of the meanest temporary and personal interest. Mr Perceval indeed was not obnoxious to these reproaches; but the heavy one of having perilously inflamed the public mind for electioneering purposes was brought against him, and the weighty reasonings which he produced lost half their influence, because it was remembered to what ungenerous means he had formerly descended. Mr Perceval met the question fairly; his colleagues could only parry the attack;—they admitted the truth and wisdom of Mr Grattan's speech, and, conceding the principle, pleaded only for delay. Though there must be a disappointment in the present instance, Mr Canning said, there was the consolation of reflecting that the question must ultimately, though gradually, prevail. The practice of mutual conciliation would do more to remove animosities than any motion which could be brought forward. Let any body, who knew the state of the public mind in this country, say, whether there was not a strong prevailing sentiment against further concessions to the Catholics. If this were founded in reason it was not easily to be overcome; and if it were even founded in prejudice, such prejudices did not yield to repeated attacks of reason, any more than the prejudices on the other side to penal laws. It would be of little value, therefore, to have a majority for the measure in the house, if there was an inflamed majority against it out of the house. He should vote conscientiously against it, with this satisfaction, that nothing which had been said could be a bar to the claim of the petitioners in future. Lord Castlereagh also deprecated the danger of discussing a question which, he said, amounted to this:—Are the Catholics of Ireland—four millions of his Majesty's subjects—in a state of freedom or of slavery? It was not possible that the discussion could be productive of good—it might produce evil. These arguments, on the ground of inexpediency, were unanswerable; and the supporters of the petition, knowing as they did the disposition of the people, and the unalterable and principled determination of the King, should have been contented, like this part of the ministry, with recommending hope and patience to the Catholics, and the quiet expectation of a more convenient season.

Mr Perceval stood upon stronger ground. The opposition, said he, which I am giving, is not founded

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upon any charge of disloyalty or disaffection against the Irish Catholics. My objection has at all times been this, that I do, in my conscience, believe, that this measure, if adopted, although intended ever so sincerely for the purpose of tranquillizing Ireland, and putting the Catholics there in a state of perfect satisfaction, will not have that effect,—but that it has a tendency the contrary way; for, in my soul, I do believe that nothing can be more likely to disturb Ireland, to excite in it, or, when excited, to increase, religious animosity, than the adoption of the measure now recommended to us. Then, referring to some arguments which had been used by Mr Ponsonby, you have been told, said he, that, if this be granted to the Catholics, they have still a right to more;—that they ought to apply for more; and that, when the opportunity is favourable, they will apply. It comes to this, then, that if you mean to tranquillize them by granting what they ask, you must grant them the whole of what they think fit to ask;—you must make up your minds to establish the Roman Catholic religion in Ireland; for with any thing short of that they never will be satisfied. But would even this tranquillize Ireland? What are we in such a case to say to all the Protestant churchmen and Protestant dissenters?—and for the people of England, if they send up no petitions against this measure, it is because they feel petitioning to be unnecessary,—they rest secure in confidence that this House will watch over the constitution without their interference. We have already, in my opinion, gone too far in concessions to the Catholics; that is, we have gone farther than principle requires us to go, and we are arrived at that point at which it is our duty to make a stand, for the question is upon the principle.

Arguments of the same import were urged by Mr Wilberforce; he expressed his wish to promote the welfare and the instruction of the Catholics, but that he felt it his duty to resist their claims, for that it was in vain to dream of reconciling them to the support of a Protestant Church establishment; and new concessions would only occasion new demands. The popular feeling in this country, he said, was decidedly against the measure. There is no person in the House of Commons who represents the opinions of so large and united a body of people as Mr Wilberforce. This seems to have been felt by the anger which his speech occasioned; for the Irish members who spoke after him in favour of the measure, forgetting all the exhortations and examples of moderation which they had received, gave way to the most imprudent violence. Mr Martin of Galway, after declaring that he had never heard more inflammatory language uttered with a calm voice and sermonic tone,—a sneer which Mr Wilberforce would feel as little as he deserved,—exclaimed, that the present rejection of the Catholic claims was to be considered as final. Mark my prediction! said he, they will not again be brought before parliament! the Catholics will no longer trust you with the bait of a petition,—they will no longer expose themselves to the mortification and insult of having it rejected without even being discussed. When the cry in Ireland was Union or Rebellion, I was in favour of the measure of union; but I have since

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learnt that it is very possible to have a rebellion after a union. The Catholics did certainly lend their aid to support the Union, which could not be carried without their acquiescence, and they as certainly did so upon an understood pledge of emancipation. If that pledge is now to be abandoned, the compact with them is broken, and they have a right to claim the restoration of their parliament. The consequence will be, that they will join with the Protestants, who were always averse from the Union, and with others who have since become equally so, and will unite their endeavours to procure its repeal.—You will not let it go forth to the Catholics of Ireland, said Colonel Hutchinson, that you dismissed their claims in silence! —and Colonel Montague Matthew declared, that Ireland had nothing to expect from the liberality or justice of the united parliament. Language so intemperate sufficiently proved the wisdom of Ministers in closing the debate as soon as possible, and not permitting it to be renewed. The Opposition, however, persisted in it till six in the morning, when the numbers against them were 281 to 128.

May 27. Yet this debate was referred to with triumph by Lord Grenville, when like petitions, two days afterwards, were taken into consideration by the Upper House. "No language," said he, "can express the difference of my own sensations at the present hour, from those with which only a few days since I should have brought this subject forward. Such are the effects already produced by the recent discussion. The manner in which it was discussed, the statements which its agitation produced, and the impression which has been made upon the public mind, must lead to the most extensive and beneficial consequences;—a dawn of better hope has risen upon the advocates of this great cause, and we enter on the duty of the present day with the cheering confidence of approaching to complete success. Of the intention of the Catholics to apply to you the present session, I was not informed until the resolution was adopted; had I been consulted I might probably have thought it for their interest to discourage it: the event has shewn how greatly I should have been mistaken. Yet even then I should have felt some difficulty in determining for others a question of such importance to their interests, and so much depending on local circumstances. Ever since the Union, the best and wisest men of that persuasion have laboured indefatigably to fix the attention of their fellow-subjects steadily on parliament, as the legitimate source of every political benefit, the centre of light and genial warmth which cheers and vivifies the empire. The maintenance of this sentiment is of the highest importance to the public welfare. This it is that requires the frequent renewal of these applications to the united legislature. It is the object of our enemies to drive the Catholic to despair. The endeavour of our friends must be to encourage, by frequent manifestations of the growing dispositions of this country, his just confidence of ultimate and approaching success. The rapid revolutions of this awful period outrun the slow deliberations of a temporizing and timid policy. That measure, which was before expedient, is now become necessary for the common safety. All the dangers, which

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it is calculated to avert, are at this moment impending over us—all the mischiefs which its suspension aggravates—all the evils which its refusal may render irremediable—are fast accumulating upon the British empire. The lines of circumvallation are closing round us. Every port in Europe is barred to our commerce. Every nation armed against our existence. The fearful hour of trial is upon us; requiring all we can command of strength and power, of courage, energy, and virtue. Shall we complain, if, in such a moment, our fellow-subjects again desire to defend our common country—again entreat that they may partake in our exertions, as they must share our danger—and renew their supplication for arms to be used in our cause and theirs, now in the very moment when the trumpet is sounding for the battle? They have also fresh authority to adduce in support of their request—powerful advocates, whose voice till this hour has never yet been raised in their behalf. Long has that unhappy country been distracted by religious animosity. Too much reason had we formerly to fear that conciliation to one class of our countrymen might to others be matter of offence and jealousy. Even in that state no other course was safe, as none was honourable, but that of equal and impartial justice. But this difficulty is now removed. The Protestants of Ireland desire the repeal of those disabilities which still attach upon their Catholic brethren. No longer confining themselves even to a friendly neutrality, they stand forward in behalf of their fellow-subjects, and of their country. In eight or nine counties of Ireland they have testified publicly their anxiety for the success of this petition. They whose rights these exclusions were supposed to protect, they whose monopoly they were intended to uphold, they come forward now and entreat you to extend to the whole population of your kingdom the inestimable benefit of equal laws. A circumstance of immortal honour to themselves,—a pledge, I trust, of lasting union to their country. Under these circumstances, then, of fresh inducement and increased encouragement, with new arguments to your wisdom, with new claims upon your justice, the petitioners repeat their appeal to this great assembly. The motion which I mean to ground upon this petition is—to refer it, without delay, to a committee of the whole House; not that I have myself any doubt that we ought to comply with it at once, and to its full extent; but, because it is above all things desirable that the subject should be fully and deliberately investigated. Whenever this great measure shall be adopted, let it not be one of hasty and inconsiderate concession, on which the pressure of the times shall stamp the character of weakness; examine in detail all the bearings of the question; look into the whole situation of Ireland; satisfy your own judgments, both as to what you ought to grant, and at what period the concession should be made. Grant it because you think it just to be claimed and fit to be conceded, not merely because you think it dangerous to be withheld. Consider also with what measures it ought to be accompanied, what course of policy is necessary to render its benefits effectual, what new safeguards its adoption may require. You have indeed been told, that the supporters of this cause exaggerate the effects of a few remaining disqualifications; that we

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speak of their removal with all the confidence and ignorance of empirics; proposing it as the one marvellous and universal remedy for all the long-continued evils of that country. The reproach, I am confident, is unfounded. Very different, at least, are my views of the extent of policy necessary for the peace and union, for the good government and happiness of Ireland. You cannot reasonably expect all these inestimable benefits from a single act of justice. "The evil that men do lives after them." The consequences of misgovernment will long survive its authors; the effects of religious animosities will extend their influence through many generations. The feelings of mutual distrust, the remembrance of mutual hostility, all the long-cherished offspring of a whole code and constitution of intolerance, these will yield only to the gradual though certain operation of a wiser and happier policy. Our first resolution should be to comply with this petition; to remove every remaining civil disability on account of religious belief. This is the looked-for and natural consequence of the Union; this is necessary, if not to redeem your plighted faith, at least to satisfy the just expectations which you then created. But this must be a part only of a large and comprehensive system."

Lord Grenville proceeded to point out the plans which Mr Pitt intended to have pursued, if he could have effected this previous measure. In the first instance they related to the Established Church, being calculated to promote both its honour and advantage, and to render it, if I may use the expression without offence, said his Lordship, far more adequate than it now can be to the purposes for which it was provided. Two thousand four hundred parishes in Ireland are now consolidated into little more than eleven hundred benefices; of which reduced number more than a tenth part are absolutely without churches, and not four hundred have glebe-houses.—Surely your Lordships must see, in such a state of things, better means for the encouragement of the Protestant religion, than any laws of exclusion or intolerance. Something also was to have been done for the Dissenters, by far the most numerous protestants in that country. Provision was also intended to have been made for the decent and necessary subsistence of the Catholic clergy. More than this they did not ask; and even this they were unwilling to receive in any manner that might tend to separate their cause from that of their community. With respect to their bishops, said Lord Grenville, it is unquestionably proper that the Crown should exercise an effectual negative over the appointment of them. I always felt the propriety of providing for this point, and it formed a part of the plans intended to be brought forward at the time of the Union. To this the Catholics of Ireland declare themselves perfectly willing to accede. In the oath of supremacy, a new form was to have been submitted to parliament, containing an explicit pledge of support to the established Constitution, and the most express disclaimer of any interference with his Majesty's legitimate and undoubted sovereignty. There was one other subject to have been taken into consideration, that of tythes;—and this Lord Grenville truly stated to be a question as delicate as it was important. Much, he

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said, he was confident might be done upon it, both to the advantage of the church and of the country; but the ground-work of every such proceeding must be laid in an inviolable respect for the sacred rights of property. If any other measures for the benefit of Ireland were in Mr Pitt's contemplation he knew them not: but he had no doubt that he enjoyed his full confidence on the subject.

This was the most important part of his Lordship's speech: the most singular was, that in which he combated the principle, that the Sovereign of these realms must always be a member of the religion established by law. Where, said he, is this principle found? The Revolution placed upon your throne a sovereign who was not a member of the Church of England. The Revolution, and the two successive Unions, have established under your present Sovereign, and in this his united kingdom, two separate churches of different persuasions. In what manner shall he conform to both?—or how shall he fulfil this new obligation, which purports, without warrant of law, and by an impracticable condition, to fetter his conscience? The Act of Settlement provides that the Sovereign of these realms shall not be a Catholic, and this provision both the Unions have confirmed; but this is matter of positive enactment, not of general principle: it originated in an occasional, though imperious necessity, and it authorises no inference beyond the express provision of the law itself. He proceeded to show in what manner the principle of exclusion tended to deaden ambition, and weaken the whole empire, by unjustly depressing a part; and he concluded thus eloquently, in a strain of truth which has been seldom heard from the members of opposition.—One thing more before I conclude: one reflection I would wish to suggest, not to the respectable persons whose names immediately follow this petition, to them it is unnecessary; but if my voice could extend itself to the remotest corners of our sister island, I would address myself to all those whose rights I have asserted, and in whose cause my heart is warmed; I would beseech them still to look for the gratification of all their wishes to the united legislature of their country. In that course they will infallibly succeed; no man any longer doubts it. In any other, they will insure to themselves misery and remorse, and to their country the heaviest of calamities. Let them not consider this as the language of prejudice; or as dictated by any interest, however public, yet separate from their own. Let them look at the continental states of Europe, crushed into one mass of undistinguishable slavery. What artifices were not used to disunite the people of those unhappy countries!—what hopes were not excited, what promises held out of complete relief from every political and every religious grievance! In what single instance have their expectations been fulfilled? Upon disunion, what has followed? conquest. Upon conquest, a tyranny more merciless than language can describe, or imagination paint. The cruelty of the oppressors has been exceeded only by their rapacity; the miseries of France herself have been inferior only to those of her deceived and subjugated allies. There is not one among the nations who have sought her friendship, that has not been brought under her iron yoke. There is not one

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individual that has assisted her views, who does not groan at this very hour under a slavery far more dreadful than that of the most oppressed class in the worst governed country of Europe before this revolution. Religious persecution, commercial ruin, political degradation, these are the instruments of her dominion, and the never-failing consequences of her success. All ranks, all classes, all descriptions of men, have been alike involved in common destruction;—the Church with the State, the Cottage with the Palace. Yet all these evils, yet all the miseries that France has felt, or has inflicted, are as a feather in comparison with those which she is endeavouring now to pour down upon Ireland. There the war, if once established by the disunion of Irishmen, must be long protracted; there all the horrors of civil contest would aggravate those of foreign invasion: there the success of France would be more terrible to the deluded victims of her perfidy, even than to her enemies. In Ireland submission would not disarm her hatred; dominion would not satisfy her ambition: nor could she secure the advantages of conquest, except by the total desolation of the country. Let then the people of Ireland be persuaded, that there is no individual, however low in rank or obscure in station, whose religion and liberty, whose property and life, are not threatened by these designs; none who is not as deeply interested in resisting them, as the most powerful, or the most opulent member of society. Let them be convinced, even those who most complain of these unjust exclusions, that there is one course only by which their civil rights can finally be established, one only by which their present advantages can be preserved. Let it be indelibly impressed upon the mind of Ireland, that it is only by union, by close and intimate union with Great Britain, that she can, in this dreadful convulsion of the world, defend her soil, protect her people, or maintain her independence!

Whatever be its general tendency, the speech of Lord Grenville had the merit of carefully avoiding all irritating topics. Viscount Sidmouth replied to it: He objected to the time and tone of the petition, as evincing a disposition to operate, if possible, upon the fears of those to whom it was addressed. Its object also, he said, was narrow, selfish, and delusive, inasmuch as it held out the prospect of benefit to the many, without the possibility of advantage except to a very few. The term Emancipation was not indeed to be found there, nor had it been used by Lord Grenville, but it was still employed as an instrument of deception, and no doubt could be entertained, that it had been successful in raising those hopes and expectations which could alone account for the numerous signatures subjoined to the petition. The multitude were therefore deluded and misled by being made use of for the attainment of an object in which they had no interest, and the accomplishment of which would not remove any of the material causes of what was to be deplored in the state of Ireland. The evils inherent in her present condition were poverty and ignorance, which could only be obviated by industry and instruction. This was the emancipation which Ireland called for, and without which all other expedients would be useless. A system of education comprehending the children of Protestants and Papists,—

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the utmost possible encouragement to the Protestant clergy to reside on their benefices, and a moderate provision, at the charge of the state, for the deserving part of the Roman Catholic clergy,—these were the measures which he should recommend. Concerning the question of tythes he acknowledged that he had not formed an opinion. It was by such means only that we could hope to approach the object of which all their Lordships must be desirous, namely, that of rendering Ireland a Protestant community. He objected to the principle of getting rid of all distinctions on account of religion, and that objection was strengthened by the tenets of the Church of Rome, as detailed in her Canons, all of which were in force until repealed by the authority of a General Council; and still farther, by the proofs with which all history abounded, that the doctrines and discipline of that church were hostile to the progress of knowledge, and to the civil and religious liberties of mankind.*

The observation of Lord Sidmouth, that the petition was addressed to the fears of parliament, was answered by Earl Moira in language angry enough to prove the justice of the remark. "He had," he said, "on a former occasion, regretted that the petition had been introduced at this time, because there was a certainty that it would be rejected, and he dreaded the exasperation which would be likely to be produced; for it was not in the nature of man to be disappointed, and not *manfully* to feel that disappointment. With what face could the Noble Viscount ask the Irish Catholic to brave every danger—to expose himself to the hazards of battle, for the mere purpose of securing to the Englishman what he refused to share with him? The Noble Viscount could not make so selfish a proposal, and if he did, it would be met with merited indignation." If there be any meaning in these words, they convey an explicit threat that the Catholics will not bear arms in defence of the empire, unless their demands are granted. Even with reference to the limited measure, which occasioned the ejection of the last ministry, he asserted, that, if the object of that bill had been literally translated into its title, it might have been called a bill to prevent a hundred thousand of his Majesty's subjects from joining the French. Earl Moira wronged his countrymen.—Doubtless there are many thousands among them who would join an invader, and this disposition they will necessarily retain as long as they are ignorant, oppressed, and miserable; but if he thinks that a single man in Ireland regards Catholic emancipation as the price of his loyalty, and is to be bought by it as by a bounty, he has a worse opinion both of the principles and understanding of the Irish nation than is held by the people of England. These were not all the imprudencies of this most impru-

* This speech of Lord Sidmouth was grossly misrepresented in one of the newspapers. He was made to say, "that it was the interest of the Irish priests to detach the people from their allegiance; that without persecution we should make no Protestants in Ireland, and without persecution the Established Church would be overwhelmed." His Lordship noticed this wilful and most mischievous misrepresentation in the House, but took no farther steps. If ever there was a libel which called for rigorous justice, this was one.

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dent speech. "Lord Sidmouth," he said, "was apprehensive, that if even the present claims of the Catholics were acceded to, they would not stop here. While that body was excluded from the participation of any of the rights and privileges of British subjects, he not only thought that they would not stop there, but that they ought not."——Earl Moira thought, that if the petition were granted, no other right or privilege remained for them to claim, except that of restoring their own Church instead of the Protestant establishment; the end and aim to which they are looking on,—unless they are as inconsistent as their advocates,—to which from all their principles they must look on, but to which the Church of England is looking also.

The Bishop of Norwich spoke in favour of the petition, with unaffected reluctance, he said, not because he entertained the smallest doubt respecting the expediency, policy, or justice of the measure, but because it must needs be exceedingly painful to maintain an opinion directly the reverse of which is supported by so many wise and good men, belonging to the same profession, and sitting upon the same bench. The objections against the emancipation were four; that the religious tenets of the Catholics are of such a nature as *per se* to exclude them; that the things which they demand are matters of favour not of right; that, were it even otherwise, it would be highly inexpedient to repeal statutes which were passed with much deliberation, as the bulwarks of our constitution in church and state; and, lastly, that, if there were no other objection, the words of the coronation-oath would be an insuperable bar. Against each of these he argued at length, with a spirit of liberality, sincerity, and independence, highly honourable, whatever may be thought of the opinion which he maintained.——The Archbishop of York answered him, denying that parliament could be opened to the Catholics as long as they owned a foreign jurisdiction, and maintained that there was no salvation beyond the pale of their own church. The Bishop of Bangor quoted Catholic books to prove the dangerous tendency of many of their tenets; and he referred to a publication lately ushered into the world by the Irish Catholics, with great solemnity, called Ward's Errata of the Protestant Translation of the Bible, where the English Church was charged with falsifying the Scriptures; and a query was subjoined, putting it to the wisdom of Englishmen, whether there was any advantage in hiring the clergy of that church at the expence of nearly a million sterling, to lead them in the broad way of perdition. Earl Stanhope replied to this in a speech, of which the manner was so indecorous, and the matter so mischievous, as to deserve the severest reprehension; the speech itself was equally unworthy of its occasion and his own talents, and far too foolish to be repeated.

An able speech was made by Lord Hawkesbury, who indeed has always spoken with great ability upon this subject. He, like Mr Perceval, declared, that his objection to the prayer of the petition did not rest upon times and circumstances, but on principles, and his conviction that a Protestant government alone was consistent with the laws and constitution of the British empire. Our allegiance to the House of Brunswick was paid, not because it was the

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House of Brunswick alone, but because it was a Protestant House. If it was necessary that the King of Great Britain should be a Protestant, was it not necessary that his advisers should be so too? that the Lord Chancellor (the keeper of the King's conscience), the Judges, and the great Officers of the State, should be Protestants? For let the House bear in mind, that the principle of the prayer of the petition went to the attainment of all power equally with the Protestants; a principle which no monarch could venture to apply practically without endangering the Constitution. The large proportion of the population of Ireland which the Catholics formed, was stated as a reason for acceding to their request: but this question must be viewed in one of two points. If the empire were considered as a whole, (and it was that the two islands might be considered as one empire that the Union had been projected), then, in any legislative regulation, parliament ought to be influenced, not by what was the majority in a part of the empire, but by what was the majority in the whole empire; upon that footing the claim of the Catholics was indefensible. If, on the other hand, the majority of a part were to determine the measures of the legislature, then the consequence would be, that, if the present question were carried, the Catholics must go farther, for the same arguments would entitle them to substitute a Catholic for a Protestant establishment in their country. Experience plainly evinced that this would be the case. Was it not within every man's recollection, that, in 1793 and 1794, the Irish Catholics were called upon to state the whole of their claims? They did state the whole of their demands, the Irish parliament granted them, and what followed?—why that they urged fresh demands! His Lordship went on to prove, that the mass of the people of Ireland could not be benefitted by the proposed concession, and quoted the authority of Arthur O'Connor, Emmett, and M'Neven; men, however, who, though implicated in one unhappy cause, must never be confounded in impartial history. The question was rejected by a majority* of 87;—the numbers being 74 to 161.

Great stress had been laid in both

* On questions of such importance as this, it is proper that lists of the minority should be preserved. They are accordingly here inserted.

HOUSE OF LORDS.

Dukes of
Norfolk,
Somerset,
Bedford,
Argyle.
Marquisses of
Buckingham,
Stafford,
Headfort.
Earls
Derby,
Suffolk,
Earls
Essex,
Shaftesbury,
Albemarle,
Jersey,
Oxford & Mortimer,
Cowper,
Stanhope,
Lauderdale,
Wentworth Fitzwilliam,
Earls
Spencer,
Glandore,
Fortescue,
Conyngham,
Donoughmore,
Rosslyn.
Viscounts
Hereford,
Duncan.
Bishop of
Norwich.
Lords
Say and Sele,
St John,
Grey de Ruthyn,
Spencer, Wormleighton, (marquis of Blandford),
Clifton (earl of Darnley),
King,
Ponsonby (earl of Besborough),

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Houses upon the concession which the Catholics were willing to make, respecting the appointment of their Bishops.——The Duke of Norfolk even explained the arrangement upon which they had agreed; "they were disposed," he said, "to lay before his Majesty a list of three persons, of

Lords
Holland,
Hawke,
Hungerford (earl of Moira),
Somers,
Braybrooke,
Grenville,
Upper Ossory (earl of),
Mendip (viscount Clifden),
Dundas,
Cawdor,
Lords
Carrington,
Butler (earl of Ormond),
Hutchinson,
Erskine,
Crewe,
Ponsonby of Imokilly.

Proxies.

Dukes of
Grafton,
St Albans,
Duke of Devonshire.
Marquis of Bute.
Earls
Clanricarde,
Thanet,
Carlisle,
Tankerville,
Guildford,
Hardwicke,
Charlemont,
Orford,
St Vincent,
Earl Grey.
Viscount Anson.
Lords
Stawell,
Lucan,
Foley,
Southampton,
Bulkeley,
Fife,
Yarborough,
Glastonbury,
Breadalbane.

HOUSE OF COMMONS.

Abercromby, Hon. J
Althorpe, viscount
Anstruther, sir S.
Bagenal, W.
Barham, J. F.
Bligh, T.
Bradshaw, A. C.
Brand, T.
Browne, A.
Brown, D.
Burton, F. N.
Butler, C. H.
Butler, J.
Byng, G.
Calcraft, J.
Campbell, lord J.
Cavendish, lord G. H
Cavendish, W.
Cavendish, G. H.
Cocks, E. C.
Combe, H. C.
Creevey, T.
Daly, D. B.
Daly, J.
Dundas, C. L.
Dundas, R. L.
Ebrington, viscount
Elliot, W.
Fitzgerald, W.
Fitzgerald, lord H.
Fitzpatrick, R.
Foley, T.
Folkestone, visc.
Freemantle, W. H.
French, A.
Gower, earl
Grattan, H.
Greenhill, R.
Greenhough, G. B.
Grenfell, P.
Grenville, T.
Herbert, H. A.
Hibbert, G.
Hippesley, sir J. C.
Horner, F.
Howard, colonel
Howard, W.
Hughes, W. L.
Hume, W. H.
Hurst, R.
Hutchinson, C. H.
Laing, M.
Lambe, W.
Lambton, R. J.
Latouche, J.
Latouche, D.
Latouche, R.
Laurence, F.
Leach, J.
Lloyd, sir E. P.
Lyttleton, W. H.
Macdonald, J.
Maddocks, W. A.
Mahon, S.
Mahon, viscount
Martin, H.
Martin, R.
Mathew, M.
Maule, W. R.
Meade, colonel
Mills, W.
Milner, sir W.
Milton, viscount
Montgomery, colonel
Moore, P.
Morpeth, viscount
Mosely, sir O.
Mostyn, sir T.
Neville, R.
Newport, sir J.
North, D.
Nugent, sir G.
O'Brien, sir E.
Odell, W.
Ord, W.
Ossulston, lord
Parnell, H.
Pelham, C. A.
Pelham, G.
Petty, lord H.
Philipps, R. M.
Piggott, sir A.
Ponsonby, right honourable G.
Ponsonby, hon. F.
Power, R.
Prittie, F.
Pym, F.
Quin, W. H.
Romilly, sir S.
Russell, lord W.
St Aubyn, sir J.
Salusbury, sir R.
Savage, F.
Scudamore, R. P.
Sharp, R.
Sheridan, R. B.
Shipley, colonel
Smith, G.
Smith, J.
Smith, W.
Somerville, sir M.
Stanley, lord
Stanley, colonel
Talbot, colonel
Tierney, G.
Walpole, general
Ward, J. W.
Warrender, sir G.
Western, C. C.
Whitbread, S.
Wharton, J.
Wilder, colonel
Windham, W.
Winnington, sir T. E.
Wynn, sir W. W.
Wynn, C. W. W.

Tellers.

Temple, earl
Fitzgerald, M.

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whom he was to reject two; but, if he thought proper to reject the whole three, then another list would be submitted to his consideration, and so on, until he should signify his approbation of an individual by allowing his name to remain." Yet, to the utter astonishment of their parliamentary friends, the Bishops of that persuasion held a meeting some little time afterwards at Dublin, and passed a resolution, declaring it as their "decided opinion, that it is inexpedient to introduce any alteration in the canonical mode hitherto observed in the nomination of Irish Roman Catholic Bishops; which mode long experience has proved to be unexceptionable, wise, and salutary."

Such a declaration ought to preclude all farther debates in parliament upon a subject which can be made dangerous by nothing except by such discussions. There is, however, so much inconsistency and self-contradiction in the arguments of its advocates, as seems to imply an obstinacy of error too inveterate to be eradicated. Who is there, who, upon reading Mr Grattan's speech, would not suppose that all the evils of Ireland were the consequences of these penal acts, if he did not know from the incontestable evidence of history, that Ireland was in the same savage state before any one of those acts existed? He exclaims against the injustice, and cruelty, and danger of excluding four millions of our fellow-subjects from—what? from seats in parliament, and about forty of the highest offices in state! He tells us, that the battles in Egypt would never have been fought, nor the victory of Maida won, if the Catholics of Ireland had not gone hand in hand with their Protestant brethren; and yet these very Catholics are represented in this very speech as men of whose services we are deprived, and upon whom we cannot count in the hour of invasion, because they are excluded from seats in parliament and the forty offices! They swear, he tells us, to support the Protestant Church:—it is a pity that the opinions of the Doctors at Louvain and Valladolid were not taken upon such an oath as this! The East India Company may send their annual offerings to a Hindoo idol, and yet continue good Church of England men in England; but that a Catholic should swear to support heresy, remaining and meaning to remain a Catholic,—this would be to establish a new species of hypostasis, and is not to be credited, without admitting an intellectual transubstantiation, as wonderful, as absurd, and as impossible, as the grand mystery of Catholicism itself!

The petitioners were indiscreet in using the expression, that they wished to be "altogether committed with their country." For were the intemperate part of their supporters to be believed, it would seem as if this phrase were to be interpreted in its literal meaning, that their interest was distinct at present, and that they had as yet their part to chuse. Such implications, however, are totally unfounded. The chief leaders of the rebellion were not Catholics, nor was religion in any degree the cause of the rebellion, though, when the rebellion broke out, it heightened its horrors. It was notorious, that the most efficient strength of the United Irishmen lay among the Protestant dissenters in the North; and Belfast was the place which gave the most manifest symptoms of disaffection at the commencement of that crisis.

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Mr Martin of Galway referred to the insurrection after the Union, as if the refusal of this emancipation had occasioned it. Peace be to the spirit of Robert Emmett! this folly is not to be accounted among his errors. Had he brooded over no other wrongs and grievances than exclusion from seats in parliament and the forty offices, the hearts which are now aching for his loss, might at this day have been rejoicing in him, —and that genius and those virtues which, by a sentence not the less to be deplored for its necessity, were cut off in the beauty of their spring blossom, would now have been producing fruit for his country and for the world!

It is said, says Mr Grattan, that danger is to be apprehended from the tenantry, and to this he replies, that they are in a situation of poverty from which it is utterly impossible they can emerge, and, therefore, they cannot be formidable to the landed proprietors." But this is precisely what makes them formidable; it is because they cannot possibly emerge from their abject poverty that they are formidable; it is because they are stript and fleeced, and shorn to the skin by proctors and tythe-farmers, and cut to the quick by the whole race of harpies who intervene between the land-holders* and the lord; it is because they are in this state of hopeless poverty and grinding oppression,

* The following statement, from a writer who signs himself Vindex. (who has been before quoted to show the abuses practised in collecting tythes,) is well worthy of consideration. "I take the population of Ireland at five millions; and, as in this inquiry we have nothing to do with sects or factions, I consider that population as composed of two descriptions of persons, the oppressors, and those that are oppressed. In the former are included all the land proprietors, both absentees and residents, and all the various denominations and classes of popular scourges, the middlemen; in the latter the whole mass of the labouring poor; and I have reason to assume the number of the former at one million, and that of the latter at four. Now, however accident, or good fortune, or unusual means from rare success, may enable some, out of this vast number, occasionally to vary their regular course of diet, the great staple of their support consists of potatoes. The average consumption of potatoes in a family of six persons, amounts to twenty stones in six days, or twelve hundred and twenty stones in the year. The average produce of an acre of land, in culture for potatoes, is eighty-two barrels of twenty stones each. From these averages of produce and consumption, we shall find the consumption of the whole four millions of people, to be forty millions and six hundred thousand barrels, and the quantity of land necessary to raise that produce, to be about five hundred thousand acres. It will, no doubt, be objected, that some portion of this description of persons consume other kinds of food, and, consequently, less of that which is assumed as the great staple of their support. But, though that fact be admitted, it can have no material effect upon the result just stated, nor upon that which is to follow. The average rent paid for potatoe land, by the labouring poor, is much under-stated at six guineas per acre per annum, and the average rent of their cabins far exceeds two guineas per annum, whilst the average charge for tythes is at least fifteen shillings per acre. The result of these averages, which I challenge any man in Ireland to question, is that four millions of the Irish nation raise a subsistence, such as it is, and God knows how miserable their fare is, for themselves from five hundred thousand acres of land, for which, and tythes, and the wretched hovels, they in general have to dwell in, they pay, by their labour alone, to their oppressors of all denomi-

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joined to the peculiar circumstances of irritation arising from the history of Ireland, that that country is always in danger of such insurrections as those of the Jacquerie in France, of Wat Tyler in England, and the peasants in Germany;—insurrections, not for imaginary rights, and privileges which can only attach to a few opulent individuals---not for seats in parliament, and the 40 offices,—but for emancipation in a more genuine and alarming sense of the word, for revenge and for rapine. Never was there a land in a state so disgraceful to its rulers, and its wealthy inhabitants. Never in any part of the world, nor in any period of history, have four millions of men existed in circumstances so fearful and so humiliating to human nature.—Having for seven centuries been subject to England, being now united to it, and lying almost within sight of it---of a country where the arts and comforts of civilization are carried to a higher pitch than they ever attained elsewhere, the great mass of the Irish people are at this moment, in their bodily condition, worse than slaves, and, in their moral condition, worse than savages. Pestilence, perpetual warfare, bloody superstitions, and the difficulty of procuring food, keep down the number of men in other countries wherever they thus approach to the state of wild beasts. Government, and their geographical situation, preserve the Irish from three of these evils, and against the fourth they are secured by the use of a root, of all others the most productive, and the most easily cultivated; and, in this state of degradation, they are enabled to increase and multiply, so as to be truly styled the great and growing majority. Meantime their whole education is confined to the mere forms and vulgarest fables of their false faith, the very dregs and fæces of the most corrupt Catholicism. They have no other intercourse with those who should, by their presence, and influence, and labours of love, be gradually improving and humanizing them, than what is just sufficient to excite in them all rancorous and mutinous feelings; and the knowledge which they possess serves only to supply the means, and increase the power, of mischief. They are gifted with a quickness of feeling, and with all the elements of genius, perhaps in a degree above all other people; and yet these very endowments, which, if well cultivated, might produce such infinite

nations, the enormous sum of five million two hundred and ninety thousand pounds, Irish currency, annually!!! Let the land proprietors and middlemen, who, in prosecuting their selfish objects, represent themselves as the people of Ireland, reflect upon this statement, and invalidate any item of it if they can;—let them state, if they dare, or show, if they are able, that the clergy, who are by law entitled to one-tenth of the produce of the land, in demanding little more than one-tenth of the rent exacted for that land, are to be considered as the oppressors of the people;—let them ask themselves this tremendous question, whether a population so oppressed can be wedded to their privations, or dread a change; and if, after this process, they shall persevere in bringing a case before parliament, let them take care to present themselves in a character free of suspicion, and with such a representation of the real grievances of their country, as may lead to a radical and complete investigation of its actual situation, and terminate in such measures as the wisdom of parliament may recommend for the comfort, tranquillity, and happiness of the whole nation."

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blessings, serve only, in their present miserable condition, to render them more sensible of wrong, more tenacious of resentment, and more eager for revenge.

For these people Catholic emancipation can do nothing;—a Catholic establishment might do much; but, though it would remove much misery, it would perpetuate so much evil, that it is no more to be thought of than Harrington's extraordinary proposal of selling Ireland to the Jews. This, however, is the ultimate object of those petitioners who have any object at all, and this would readily be conceded by the majority of their advocates; a number, happily so inconsiderable, that there is no reason to be alarmed at their disposition. No opinion has been more loudly and insolently maintained by men who disguise their irreligion, under the name of liberality, than that nations are to be suffered to enjoy their superstitions however monstrous; that no attempt should be made to shake their faith and supplant it by a better; and that the established religion of every country should be that of the majority of its inhabitants. The ground of these political dogmas is a heartless and hopeless Pyrrhonism, and that desperate moral atheism, which, resolving all things into expediency, considers truth and falsehood as equally indifferent in themselves. Even upon their own grounds these reasoners might be confuted. For, were it admitted that truth is not to be attained, and that there is no resting place for the heart and hopes of man,—that which is false may still be proved to be so;—the specific evils which originate in such falsehood can be demonstrated from history and experience, and it is our duty to prevent those consequences. Wherever the Roman Catholic superstition predominates, it offers only these alternatives:—Unbelief, with scarce a decent covering of hypocrisy, and all the abominations of vice, as exhibited in Italy and France, among the higher ranks; or base, abject, degrading, destructive bigotry in all, as in Spain, Portugal, and the Austrian States. These are the effects which always have been, and always must be, produced by a Catholic establishment. Whatever good, therefore, might immediately be obtained by the complete restoration of Popery, would be more than counterbalanced by the subsequent evil.

This complete restoration and re-establishment is what the Catholics look on to, and without it they never will be satisfied by any conciliations, as long as the slightest hope of obtaining it remains. They tell us in their petition, what we may well be ashamed to hear, that their religion has been deemed, in a considerable degree, to merit public encouragement. The folly which has been committed in granting to them, as Catholics, any thing more than toleration, justifies them in this strange assertion, and would encourage them to demand farther concessions, till nothing farther should be left to concede. Happily we have stopt in time; for, notwithstanding the triumphant language of the emancipators in parliament, that preliminary measure never can be carried without raising an opposition which no prudent ministry will venture to provoke. We are too apt to judge of the stream by the straws which float upon the surface, forgetful that the main body of the waters flows in an under current. A few newspapers and journalists might be bought,

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a few pulpits might be manned for the occasion—pamphleteers might be set on, and literary partizans would volunteer their services; but if there were serious cause to apprehend that the King could be persuaded to yield his reluctant consent to this repeal of the Test Act, or that his successor inclined to such a measure, the church would rouse up its sleeping strength, it would be joined on that occasion by the orthodox dissenters, and England and Scotland would unite in one cry of petition, too loud and general to be resisted. On this question Mr Wilberforce represents a body of people twenty-fold more numerous than the freeholders of the great county which has elected him.

The question, in fact, resolves itself to this,—are the Catholics right in those great and essential points of doctrine and discipline wherein they differ from the church of England—or are they wrong? If right, it behoves us to put an end to what, in that case, must be considered our mortal heresy, and to atone for it in sackcloth and ashes;—if wrong, we are bound by our own principles to tolerate them, indeed, to the full extent of toleration, but in no way to afford the slightest encouragement or assistance to a system so erroneous and so pernicious,—a system which, wherever it has not proved deadly to intellect, has been deleterious to morals, and has, in most cases, equally degraded both. No considerations of temporary interest can ever justify us in compromising the cause of truth. Wherever the points of religious difference could come into action, the exclusive tests must be perpetuated—in all other cases they ought to be removed. Very few such cases remain at present. One, however, was brought before parliament, a few days after the great debate by Sir John Newport, who proposed a resolution, declaring Catholics eligible to the high offices of the bank of Ireland. It was again brought forward by Lord Henry Petty, and again negatived, Mr Foster and Mr Perceval urging the singular objection, that the Catholics themselves had not asked for it. Lord Hawkesbury opposed it in the upper house, upon the ground, that his determination was to make his stand at the act of union, to maintain the laws as they stood at that period; to abide by the concessions that had been made up to that period, but not to accede to any other that had since been called for. This was a manlier answer, but it had been wiser to have granted what was asked—better still to have granted it unasked. It is unjust to the Catholics to exclude them from situations of profit;—it would be unjust to ourselves to admit them to situations of political power. This is the distinction. Our constitution consists of church and state; is it not, therefore, a self-evident absurdity to give those persons power in the state, who are hostile to the church?—Happily the Catholics have relieved their parliamentary friends from all further obligation, by disavowing the terms which were proposed for them.

May 30.

June 2.

June 16.

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CHAP. VII.

Debates upon the Conduct of Marquis Wellesley towards the Nabobs of Oude and Arcot. Grant to the Family of Lord Lake. Affairs of the East India Company. Bill to restrict the Distilleries to the Use of Sugar, for the Relief of the West India Merchants. Reports of the Committee appointed to consider of that Subject.

The conduct of Marquis Wellesley in India, which had been arraigned during the two preceding administrations, was finally discussed in the present sessions. The accusations against him had originally been brought forward by Mr Paull, a man whose singular career will be hereafter recorded in history, little to his own honour, but still less to that of others. The personal dislike which was felt towards him, and his want of rank, influence, and connections, occasioned his talents to be estimated lower than they deserved; and as the situation in which the Marquis stood induced both parties to favour him, one by directly justifying his measures, the other by impeding his accuser, nothing farther had been done than to publish a mass of papers, so voluminous that it was scarcely possible any member of parliament could have time to peruse them. Mr Paull being no longer in the house, part of the business devolved upon Lord Folkestone, he being the person who had given him the most effectual and sincere support. In the very outset of the discussion he found himself in the singular predicament of having those only to approve of his plan of proceeding, who were against him on the merits of the question; while they who were with him on the merits objected to the plan. The case which he stated was this:—In 1798, the East India Company deposed the Nabob of Oude, who was an usurper, and placed the lawful heir upon the *musnud*. A treaty was then concluded between them, stipulating that the defence of the province, against all enemies, internal or external, should rest with the company, for which the Nabob should pay, by monthly instalments, an annual subsidy of seventy-six lacks of rupees, (912,000*l.*) That, for this purpose, the Company should constantly maintain in Oude a force of from ten to thirteen thousand men, and, if more were at any time required, the Nabob should defray the expence of the difference. That if, at any time, the monthly instalments were in arrears, the Company should require security for its future regular payment. All political power, and even all communication with other states,

Feb. 9.

March 9.

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was taken from the Nabob, but full authority over the internal affairs of the country, over his household affairs, hereditary dominions, troops, and subjects, was left to him by the express words of the treaty; and it was stipulated, that a reform in the civil and military arrangements of the country should be set about, concerning which he was to advise with the Bengal government. Four months after this treaty was signed, Lord Wellesley arrived in India, and immediately formed a plan in direct opposition to it, for the total reduction of the Nabob's troops. It was, however, above a twelvemonth before he had any leisure to carry it into effect; and, during that time, the Nabob faithfully performed his part of the contract, paying the subsidy punctually, and reducing his troops, which it was his wish and his interest to do, because his predecessors had won them by unbounded largesses. This he effected by forbidding any vacancies to be filled, except in those battalions on which he could depend. No sooner, however, had Lord Wellesley destroyed the power of Tippoo, than he began to execute his projects upon Oude. He ordered additional troops to march into the country, to guard against the threatened invasion of Zemaur Shah. This was a mere pretext,—they were continued there after the death of the Shah and the dismemberment of his dominions. Lord Wellesley's plea was, that it was impossible to defend the country, as he was bound to do, without maintaining at all times in it a force sufficient to resist remote and contingent danger; but his real object was to overburthen the treasury of the Nabob, so as to make him disband his own troops, and to extort from him a cession of territory, while, at the same time, the Company's finances might be conveniently relieved. Statesmen and Governors acquire a cheap reputation by succeeding in their measures, when their power is such as to render success certain, and they have no scruples concerning the means which they employ. The Nabob was compelled to disband his own troops,—those of the Bengal government were in possession of his country, and he was completely at Lord Wellesley's mercy. No retrenchments which he could make were sufficient; the country was exhausted, and he himself, harassed by renewed and increasing applications, expressed apprehensions that the subsidy could not be regularly paid, protesting, at the same time, that he would use his best endeavours to fulfill the agreement, and offering to lay open the state of his affairs to the English Resident Colonel Scott, and to consult with him how to provide the necessary funds. Overlooking this offer, Lord Wellesley insisted upon a cession of territory, the annual revenue of which should equal the full amount of the subsidy. This was not all; over and over again he required the transfer to the Company of the exclusive management of the civil and military government of the country. In this, however, he was disappointed. A very protracted negociation ensued, in which, on the one side, all the arts of chicanery were displayed, accompanied with threats the most undisguised, and language of reproach and reviling, the most contentious and unmerited; while, on the other hand, nothing was manifested but patient forbearing and earnest supplications. A demand of 38 lacks of rupees was required to be paid instantaneously. This sum had in-

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creased from 17 in eight months,* and it might be doubted whether any part of it was due, for it appeared from the accounts before *March* 15. the house, that, in former years the expenditure of Oude was less than the payments; in three preceding years the expences had been 60, 90, and 80 lacks, while the payments were 67, 98, and 92. Thus pressed, the Nabob offered a cession of territory to the amount of one crore 20 lacks, for the payment of the additional troops. The resident at Lucknow wished to conclude a treaty upon these terms, but even this was not thought sufficient by Lord Wellesley. The Nabob now wished, in despair, to resign his dominions to his son; and addressed, in the most respectful manner, a petition of right upon this subject to the Governor-General, and this also was rejected in a most harsh and cruel manner. Even yet his Lordship might not perhaps have been able to succeed in his project, had he not appointed his brother, Mr Henry Wellesley, to be Resident; which appointment was illegal, being made without the advice or consent of the council. There was something mysterious in the correspondence carried on between the two brothers; the letters were marked *private*, and there were inclosures which were never seen. At length the unhappy Nabob was compelled to yield a portion of territory, of the alleged annual income of one crore and 35 lacks of rupees, (1,620,000*l.*) in perpetual sovereignty, and to deprive himself of all efficient government over the remainder. Was there any wonder in seeing the Nabob in tears, as the declaration of the East India Directors expressed?† Was there any *March* 15. surprise in finding that he had laid down the turban of a Mahomedan prince, and retired from the palace of his fathers to the hovel of a peasant, weighed down, as he was, by oppression and injustice? The detail of these charges was not made known to the council of Calcutta till sixty days after they took place—the treaty was not communicated to them till six months afterwards;‡ and it was sent home to the Directors, without any explanation of the manner in *March* 9. which it had been obtained, or of the circumstances which preceded it. They, consequently, at that time approved a treaty so advantageous to themselves; but when they knew how it had been obtained, they stood forward manfully and honourably to express their reprobation and abhorrence of it. They printed a dispatch, in which, while they acknowledged their high consideration for the talents of Marquis Wellesley, they condemned the general tenor of his administration, as *Feb.* 22. contrary to the existing laws,§ an open defiance of the authority of the Directors, and an attempt, on his part, to convert the government of India into a simple despotism.

This dispatch had been signed by twenty-three Directors out of twenty-four, a majority almost unparalleled. Sir John Anstruther, however, replied summarily to the decided condemnation which it conveys, by saying, that it ought to have no more weight with the house than the opinion of four

* Mr G. Johnston. † Mr S. Lushington. ‡ Mr Grant. § Mr Greevey.

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and twenty printers. Lord Folkeston concluded his charges by moving twelve resolutions; the result of which was thus summed up in the concluding one:—That Marquis Wellesley, actuated by unjustifiable ambition and love of power, had formed schemes of aggrandizement and acquisition of territory, in direct opposition to the established policy of the East India Company;—that he pursued this object by means offensive, and with a spirit irritating to the Nabob, with a total disregard of the recorded opinions of this house, and the provisions of two several acts of parliament; and that he finally succeeded in wresting from this unfortunate prince, against his will, a large portion of his territory, and in depriving him of all effective government over the remainder; in direct violation of every principle of good faith, equity, and justice, and in open breach of the sacred obligation of a solemn treaty; and that he has thereby affixed a lasting stigma and reproach on the British name and character, and contributed to destroy all confidence in the moderation, justice, and good faith of the British government in India.

The partizans of Marquis Wellesley, in reply to these accusations, entered into a wide retrospect of our affairs in Hindostan, and dwelt upon the brilliant successes of the Marquis; topics, both irrelevant to the specific case in question. They asserted, that the general instructions of the Directors, to exchange subsidy for territory, authorized the line of policy which he had pursued; that the cession which he had obtained was essential to the security of Bengal, and to the tranquillity of Oude; and that all such cessions were, in the highest degree, beneficial to the inhabitants of the ceded districts. Against this last assertion some weighty exceptions were alledged. The monopoly of salt, it was stated, had been extended from Bengal into Oude, but was found so destructive and ruinous, that it was obliged almost immediately to be abandoned. The use of spirituous liquors, so strictly forbidden by the Mahomedan law, had also been introduced and legalized there,—was this for the benefit of the inhabitants? But the most striking and melancholy statement was made upon the authority of Mr Strachey, Judge at Madnapore. From him it appeared, that, up to the year 1806, the detestable police of these provinces, (as Marquis Wellesley's advocates truly styled it,) remained in the same state, not one step having been taken to improve it by the British government. In his province, he stated, continual disturbances arose in consequence of the substitution of our military for the forces of the country, in collecting the revenue;—these became so alarming, that he found it necessary to dismiss the military, and restore the police to the Zemindar, by which the people were satisfied.* *March* 15. A similar account was given by Mr Riley, Judge at Etawa:—A general and perpetual disaffection, he said, existed during the whole time he resided in the province,—there was nothing but insurrection—the Zemindars and nobles were in a constant state of revolt; and when a French officer entered the province with a handful of troops, they actually joined him. It is impossible, said Sir Thomas Turton, to believe that the hearts of the people can be with you; torn by your

* Sir T. Turton.

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power from their natural sovereign, to whom, in eastern countries, attachment is part of their nature; subjected to the exactions, insults, and punishments of men whose justice they have heard of, but never experienced; whose religion they abhor, and whose laws are dissonant from their habits and customs; dragooned, as it were, into submission, by a scattered, and consequently a licentious military—what spark of affection can be excited in their breasts towards you? What feeling can animate them, but stifled, yet unsubdued revenge?—a deep-rooted resentment, which, under your present system, no time will allay, and which wants only a fit opportunity to overwhelm you in its effects.

The advocates of Marquis Wellesley were more successful in showing that both Marquis Cornwallis and Lord Teignmouth had interfered with the government of Oude, and considered it as dependent upon the Company; this, however, did not lessen the force of the accusation. No such interference as the present had ever entered into the plans of those Governors. The resolutions were negatived by a majority of 182 to 31; and Sir John Anstruther then moved that Marquis Wellesley, in carrying into execution the late arrangements in Oude, was actuated by an ardent zeal for the public service, and by the desire of providing more effectually for the prosperity, the defence, and the safety of the British territories in India. This motion was carried; no person remarked that it was so worded as to be nugatory, for it referred wholly to the motives of the Marquis's conduct. No attempt indeed had been made to deny that he had violated both the letter and the spirit of the treaty, and extorted the cession by threats and violence; it was only contended that what he had done was consistent with the system and convenient for the interest of the Company. The facts were admitted, justified, and approved.

However complicated the general subject of our East Indian affairs may be, the charges which were brought against Marquis Wellesley were sufficiently simple and intntellible. That respecting Oude had been thus disposed of. The Carnatic question, of which Sir Thomas Turton was the mover, was equally plain. In July, 1801, he stated, Colonel Macneil advanced to the palace of Chapauk with troops, under pretence of preventing commotion at the death of Omdut ul Omrah. At their entrance, the old monarch, who was then labouring under the disease which, in eight days afterwards, destroyed him, sprung from his bed, and entreated Major Grant not to expose him to the contempt of his subjects, by penetrating into the interior of his palace; and Major Grant applied for instructions to Colonel Macneil, who, from motives of humanity, did not enter. The troops, however, surrounded his palace till he died, to all appearance in perfect amity with the Company. On the day of his death, the Prince, his heir, was called from his apartment to answer to certain interrogations on a charge of treachery against his father. He was told that his father and grand-father had carried on a treacherous correspondence with Hyder Ali and Tippoo; and that, in consequence, he must be set aside from the succession, unless he would give up the civil and military administration of his possessions, and accept of an indefinite sum to keep up his dignity, and a body guard

May 17.

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furnished by the company. During one of the conferences which were held upon this demand, troopers with drawn swords paraded before the tent for the purpose of intimidating him. The Prince, still appealing to the faith and protection of the Company, refused his consent to such a proposal, and was told that his situation, for the future, would be that of a private person, considered hostile to the British interests. The rightful heir being thus set aside, the two next in succession were past over, and Azum ul Dowlah chosen; who, as usual in that country, had been kept in confinement, and when taken out on this occasion was greatly terrified, supposing they were about to put him to death. There was no difficulty in making him admit that the whole right was in the Company, his ancestors having forfeited it by their treacherous correspondence with the sultans of Mysore. This puppet was accordingly installed, on which occasion only a single noble attended. A treaty was executed, in which it was stated, that the hereditary right of Azum ul Dowlah, to the throne of his ancestors, had been acknowledged by the Company. When this was communicated to Lord Wellesley, he objected to the expression of right, and directed Lord Clive to get the words altered if he conveniently could, and to have it stated, that Azum ul Dowlah has been established in the possessions of his ancestors, by the liberality and moderation of the Company's government; which liberality extended to the provision of a guard of their own for him, and a promise of a sum to support his dignity. What was remarkable in this treaty was, that, in one part of it, it gave these possessions, and in another took them away. But the most nefarious part of this transaction was the subsequent conduct towards the rightful prince, who, from the time of his deposition, was confined with his mother in the palace of Chapauk, that being his private property, in which palace Azum ul Dowlah himself resided. The unhappy Prince presented several ineffectual petitions to be removed. Finding these were in vain, he addressed a letter to two Englishmen, to whom it appears that his father had formerly recommended him, requesting them to lay his wrongs before the very best of Kings, and then to appeal to his Royal Highness the Prince of Wales, "who," he said, "had always evinced a very particular and friendly regard for the interests of his family,—to the President of the Board of Controul, and the Court of Directors; and here he expressed himself aware that they would have to combat with a legion of bad passions, and a host of hostile interests; lastly, to the House of Commons. I have endeavoured, says he, in this mournful statement, under the mortifying events which have happened, and the variety of sensations which have possessed me, to acquaint you of the unhappy situation in which I find myself exposed, and I am afraid that I have ill succeeded. I need not endeavour to impress you with the horrors of the situation to which I feel myself reduced; you have but to picture to yourselves the height of human grandeur, and the sad and miserable reverse of it; the highest and lowest condition of which humanity is capable. But even the meanest subject of the very worst government possesses a blessing which my fortune and fate forbid. He owns the gratifying sensation of knowing

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himself safe amidst the society of his fellows, while I, alas! have no friendly or kindly sociality, none of those relations and ties which are made to secure the comforts and happiness of life; an unit, as it were, in the sum of the people of the Carnatic! I am delivered into the hands of an enemy, who has but one act to execute to finish his career."* The fear which he thus pathetically expressed was prophetic, for the Prince soon died of a dysentery. Sir Thomas said, he would not absolutely affirm that he came unfairly by his death, but he would say that it was his belief he did. He would not charge the persons concerned in this transaction with murder, such as is sometimes proved at the Old Bailey; he would not say that Lord Clive could have had an intention to have the Prince assassinated; but he maintained, that they who, with their eyes open, placed him in such a perilous situation, were, in *foro conscientiæ*, heavily and deeply implicated. So palpable indeed was the probability of such an assassination, that Mr Addington, as soon as he learnt to whose custody the Prince was delivered over, immediately sent out orders to remove him. Upon this statement, Sir Thomas moved several resolutions of severe censure, and proposed that the house should resolve itself into a committee, to enquire what reparation could be made to the family of the injured Prince.

Upon this, as upon the Oude question, the facts were admitted and justified by the partizans of Marquis Wellesley, and approved by a large majority. There was one weak part in the statement of the accusers. They insisted, that the correspondence which had been found at Seringapatam, did not infer any treacherous designs, but was merely complimentary and metaphorical. It is not indeed legal proof of such designs; but its intrinsic evidence, the key to the cypher which was found with it, and the examination of persons in the confidence of the parties, satisfactorily prove, what indeed was sufficiently probable, an earnest wish in the writer for the success of Tippoo and the Mahomedan faith—that is, in other words, for the expulsion of the English from India. This, however, is no justification of the unnecessary cruelty which was practised towards Omdut ul Omrah's son. A vote of approbation, similar to that upon the Oude question, was moved by Mr Wallace. Upon this a short but impressive speech was made by Mr Howorth. The house, said he, is called upon to determine on Lord Wellesley's motives;—there is no human tribunal competent to decide on them; it is by his actions that his merits must be tried. If you try him by the resolutions of this house, or by the laws of his country, show me the resolution or the law which he has not violated? If you try him by the opinion of the Directors, there is scarcely an act of his government which they have not condemned: if you try him by the effects of his government, look at the results! at home, irretrievable ruin; in India, a territorial revenue of fifteen millions, falling short of its expences upwards of two millions annually, loaded with a debt of thirty-two millions, increasing daily; the native powers disaffected; alarmed with jealous apprehen-

* Affairs of the Carnatic, ordered to be printed June 23, 1802, and reprinted Feb. 26th, 1807.

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sions of our ambitious encroachments; disgusted with our humiliating controul; disgusted with the disgraceful subordination in which they have been placed; disgusted with the baseness of our ingratitude in this last instance, the mass of Mahomedans in the Carnatic are seeking only for a period to their sufferings, in the subversion of the British government; and even your Sepoy establishment, the last native resource you had to trust to, ready to take up arms against you: every financial resource exhausted; not a rupee in your treasuries: this, sir, is the state into which Lord Wellesley's mal-administration brought India: this is the state in which he left it, and this is the state in which Lord Cornwallis found it: for what reason was such a man as Lord Cornwallis, at his advanced period of life, not merely called upon, but solicited, entreated, as one of the greatest services he could render to his country, to again undertake the government of India? Was such a man wanted to pursue the system, and tread in the steps, of Lord Wellesley? No, he was sent out for very different purposes. He was employed from the first moment of his arrival at Calcutta, to the latest period of his existence, in reversing every measure, in cutting down every political act of his predecessor, in endeavouring to repair, or at least to put a stop to, the universal mischiefs produced by the measures of Lord Wellesley. This house voted a monument to Lord Cornwallis. If you approve of the conduct of Lord Wellesley, be consistent, at least, and begin where, on this principle, you ought to begin, by ordering Lord Cornwallis's monument to be pulled down, and then on its ruins you may erect a statue to Lord Wellesley. But, at last, we are told, that the noble Lord's motives were always good, that his zeal to serve the Company was always ardent: I have already said, there is no human tribunal can take cognizance of his conscience, or penetrate into his motives, abstractedly from his conduct. In my mind, the noble Lord has done all with his eyes open, caring, as it seems, but little for the consequences; secure of protection here; and so he has found it: but before this House proceeds to pass a vote which, as an hon. director (Mr Grant) has told you, will be attended with incalculable mischief in India, I trust it will reflect, and I call upon his Majesty's ministers, before they lend their aid to a measure so pregnant with disgrace to the British name and character, to reflect on those duties which they owe to their sovereign, to their country, and, in truth, to their own characters.—The vote of approbation was carried with only nineteen dissentient voices against 98. Little interest is excited in this country by the discussion of East India affairs, and little attention given to a subject so remote and intricate. The splendid military successes of Marquis Wellesley's administration were carefully confounded with the whole system of his policy, by his partizans and pamphleteers;* and

* Lord Folkeston, in introducing his motion upon the Oude charge, said, that two pamphlets written to bias the public mind in favour of Marquis Wellesley, were distributed gratis, not only to the members of that house, but through all the principal taverns and coffee-houses in London. Even some of the resolutions which he himself had first offered to the house, had been published in the papers with altera-

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the uninformed mass of the public were easily misled. They knew and admired the vigour and decision with which he destroyed Tippoo, and effectually frustrated the well-concerted plans of France; they easily excused his ambition, and they cared little for the profusion which had so greatly embarrassed the Company and exasperated the Directors. This too was known, that there is a wide difference between political morality here and in Hindostan. In that miserable country all governments are founded upon usurpation, which in almost every instance is of such recent date, that it can scarcely be said to have past into a prescriptive claim. Questions of right and lawful succession are inapplicable to a state of society where there is no right but force, no law but that of the strongest. This was perfectly understood; while, on the other hand, only those persons who had examined into the history of Marquis Wellesley's usurpations, were acquainted with the breach of national faith, the injustice and cruelty which rendered them as impolitic as they were abominable.—"If ever," said Mr Fox, "there was one case in which the breach of treaty ought to occasion more indignation than in another, it was in India, where there was no power but that of the sword; but where," as Mr Francis had well observed, "that sword was the British sword." "In India the British ought to be bound by their compacts the more closely, the more it was in their power to break them."

Another subject relating to our victories in the East was brought before parliament upon the death of Lord Lake; when the House of Commons were informed, that it was his Majesty's intention to settle an annuity of 2000*l.* upon his successor and the two next heirs-male. When the King's message was taken into consideration, Lord Castlereagh stated, that the circumstances in which Lord Lake had left his family were such as to strengthen his claim to parliamentary reward. When he returned from India, he received such marks of the favour of the Crown, and other distinguished branches of the Royal Family, that he felt himself in some measure able to support his dignity without public aid, and felt of course unwilling to come forward with an application for such a reward as was now demanded for

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tions and comments; and this publication he could with certainty trace to the friends of the noble Marquis, because they were precisely in the form in which he had transmitted these resolutions to them, but in which he had subsequently made some verbal alterations. He did not complain of this,—he left the house and the country to judge of the fairness and decency of such a proceeding, and of the strength of the cause which required such assistance. Upon the same principle, the editor of the Asiatic Annual Register, in that part of his parliamentary proceedings, where Mr Paull's charges against Marquis Wellesley ought to have been inserted, omits them altogether, saying, "as these charges have never been substantiated by evidence, nor even attempted to be supported by argument, they cannot, with any propriety, be introduced into our report of the proceedings in parliament or India affairs; *because this work is a register of authenticated facts, in which all unfounded accusations are of course inadmissible!*" Had Mr Laurence Dundas Campbell forgotten that, whether these accusations were true or false, it was an authenticated fact in the history of Marquis Wellesley, that such accusations were brought against him?

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him. This forbearance, however, ought not to operate to his injury; and it was proposed, therefore, that the pension, as was just and customary, should commence from the date of the battle of Delhi, from which he derived his title. This extension would afford means of making some arrangement for the female part of his family,—to whom he had not been able to bequeath a thousand pounds each. And as he had died before the application could be made, his life was not counted for one of the three, for which it was usual to grant provisions of this kind. He proposed also that a monument should be erected to his memory.

Upon this motion, Mr Whitbread observed, that Lord Lake had been in possession of very lucrative employments,—so lucrative, indeed, as to render it quite indecorous for him to come forward with such a claim during his lifetime. To prevent, as it were, the peerage from being sullied, he would consent to the pension; but to its retrospective operation, and to the monument, he must decidedly object. This called forth many panegyrics on the deceased, upon the ground that he had returned from filling one of the highest offices in India, comparatively poor. His expences, it was urged, had been fully equal to his appointments; and Mr Michael Angelo Taylor observed, that if officers were taught not to look up to their country for any provision for their children, left destitute by their death, it were better to pass a law at once, binding them to chastity like Catholic priests, and thereby prevent them from having children to provide for. He had left only 40,000 *l.* to provide for a wife and seven children, and support a peerage. Mr William Smith remarked upon this, that he brought with him from India nearly 140,000*l.*; and that the real cause of his dying in such moderate circumstances was, that he had discharged out of it the immense debts which he had previously contracted in this country. He did not, however, object to the pension, because he thought not only dignity but independence should be attached to the peerage.

Sir F. Burdett protested against the grant in all its parts, both on personal and constitutional grounds. Personally, because whenever a pension was claimed on the ground of services, those services ought to be of a very distinguished nature. There ought not to be any necessity for asking when and where they were performed,—they should be of that brilliant kind that the fame of them should ring through the world. Who ever went to India that did not win battles?—and indeed, when the brilliant victories of Lord Lake were mentioned, some failures not less remarkable might be mentioned also. But his main objection was upon constitutional grounds. What had become of all those sinecures which were at the disposal of the Crown? Whenever they were alluded to in that House, it was always argued by Ministers, that such things were necessary in order to enable the Crown to reward eminent services,—but whenever there were any eminent services to be rewarded, the real reward was always made an additional burden on the people.——If Lord Lake's services had been great, the merits of the people of England were not small. They had submitted with unexampled patience to privations and sufferings of every kind. If all merit was to be rewarded, where was their merit to find its remunera-

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tion? The only reward which they could receive was from the watchful attention of the House over their purse, and to prevent any unnecessary burthen from being imposed upon them. Here Sir Francis, as usual, weakened the effect of his speech, and injured himself in the opinion of thinking men, by confounding the character of the demagogue with that of the censor,—and his opponents of course replied only to the feeble part of his speech.—

The motion was carried.

March 2. But a few nights afterwards, Lord Castlereagh declared it was the wish of Lord Lake's friends not to press the point of his monument, as an opinion seemed to prevail, that that honour ought to be limited to such persons as fall in battle. A letter upon this grant was published by Mr Paull, in which he stated, that Lord Lake's fixed salary in India for six years, had been 16,000 *l.* a-year; and that his prize-money amounted at least to 150,000 *l.*; and that his son Lieutenant-Colonel Lake enjoyed, during the same time, a salary of 8000 *l.* a-year, and shared 15,000*l.* for prize-money. The debts which had been discharged in England amounted, he said, only to 38,000 *l.*

On the 11th of March, Mr R. Dundas, President of the Board of Controul, moved for the appointment of a Select Committee to enquire into the present state of the affairs of the East India Company. "There was a deposit," he said, "to a very considerable amount, and it was expedient to investigate the cause which produced and tended to perpetuate it." Mr Creevey supported the motion, affirming, that the statements of the different Budgets had been delusive from beginning to end; and it was only by a Committee that the affairs of the Company could properly be investigated. A committee of 21 members was accordingly appointed.—

April 26. Some weeks afterwards a petition from the Company was presented by Mr C. Grant. It stated, that in the course of the last and present war they had incurred various expences for expeditions from the continent of India to the French, Dutch, and Spanish islands in the Indian seas, and to Egypt, under the instructions of his Majesty's government, which expences were advanced, upon a reliance that they were to be fully reimbursed by the public. Different sums had at different times been issued to the petitioners in respect thereof; nevertheless they claimed that a large balance was still due to them on that account. That they were indebted to his Majesty for customs and for excise in the sum of 770,000 *l.*; and upon a prospective estimate to the first of March 1809, it appeared that their payments, including this debt, would exceed the probable sum of their receipts by the sum of 2,433,185*l.* or thereabouts, not including in those receipts the balance due to them from the public;—but it would be highly inconvenient and disadvantageous that the Company should raise the whole of that sum by the means now in their power. That they were not conscious of having created, or aggravated this financial pressure, but that it had been produced by a combination of the following causes:

1. The debt accumulated in India, and the high rate of interest which it bears, the effects of which have been to intercept the surplus of the Indian Revenue, and to occasion large drafts on the petitioners

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at home for payment of interest, as well as for political charges appertaining to the Indian territory out of the home funds of the petitioners: 2. The very large sums advanced for the expeditions from India before mentioned, part of which was borrowed in India at a high rate of interest: 3. The deterioration occasioned in their affairs by a state of European war since 1793, under the following heads: 1st, in freight and demurrage, which, in the course of 14 years, have created an increase of expence by the sum of 7,000,000*l.* 2d, in the increased cost of the manufactures of this country exported by the petitioners, to the annual amount, on an average of 13 years, of about 1,690,000*l.*, which increase has not been counterbalanced by an increase in the selling prices abroad, nor by a diminution in the cost of goods purchased for importation into England; 3d, in diminution of profits on the Indian investments homeward:—4. The large supplies in goods and bullion sent out to India and China, between the years 1802 and 1806, exceeding very considerably the returns which have been made; those supplies were originally furnished for the purpose of increasing the investments of the petitioners, in order that by increased commercial profits, joined to increased revenue savings, the Indian debt might be in part liquidated; but in the years 1803 and 1804, when those supplies arrived in India, great part thereof, particularly of the bullion, was absorbed by the expences of the war against the Mahrattas; and in 1805, to aid the Indian finances of the petitioners in the said war, they still sent large supplies of bullion, besides the usual exports of goods, which latter were also, to assist the manufactures of this country, continued to be exported upon an extended scale to India and China in 1806, all which exports are among the more immediate causes of the pressure now felt upon the home finances of the petitioners, the returns hitherto received falling far short of their amount:—5. The comparatively small investments which were sent home during the years 1803-4-5; whereas, if investments in proportion even to the amount usual in preceding years had been sent home, they could then have been sold, and would have produced a considerable influx of money into the petitioners' treasury in England, which would have been ready to have counteracted the effect of the very small sales, which, in the present state of Europe, can only be made, and which tends to the further embarrassment of the affairs of the petitioners:—6. That anterior to the period of 1802, and during a period of ten years, from 1797 to 1807, the advances made out of the petitioners' funds at home, for supplies in goods and bullion sent to India and China for payment of bills of exchange drawn upon the petitioners from thence, and for sums paid in England on account of political and military charges appertaining to the Indian territory, have very largely exceeded all the returns received, which appear to be indebted to the home concern in the said period to an amount exceeding five millions. That the petitioners do not presume to request aid in their present emergency, without shewing their unquestionable ability to discharge all their present debts in England, and to repay whatever the House may in its wisdom think fit to assist them with; for, independent of the Indian

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Debt, which the petitioners submit is justly chargeable on the Indian territory, the petitioners beg leave to state that, on the 1st of March last, the sum total of debts, carrying interest and not carrying interest, owing by the petitioners in England, then amounted to the sum of 9,122,621 *l.* (not including the amount of their capital stock, but including the debts due to his Majesty for Customs and Excise), and the sum owing by the public to the petitioners, taking the same as it stands in the annual accounts at 2,460,000 *l.* and other good debts due to them in England, together with the value of their goods now unsold in their warehouses, and of their houses, warehouses, and other property in England, amount to the sum of 14,149,623 *l.*; and moreover, the petitioners certainly expect further goods from India and China in the course of the present year to the amount of 5,271,000 *l.*, which, added to the last-mentioned sum, will make their actual property in England amount to 19,420,623 *l.*, from which the debts aforesaid being deducted, there will remain a balance of 10,298,002 *l.*; but taking only the amount of the goods now unsold in their warehouses, being 7,815,305 *l.* and the amount of goods to be expected in the course of the year, being 5,271,000 *l.* both will make an aggregate of property amounting to 13,086,305 *l.*, and if from this be deducted the estimated amount of sales in the course of the year, there will still remain at the end of the year goods to the amount of 8,807,092 *l.* as a security for any loan that may be made.

Mr Grant moved, that this petition should be referred to the Committee. Upon this Mr Creevey observed, that being a member of the Committee, he had been enabled to form an opinion that the Company never would be able to repay the loan which they were now calling on parliament to grant. There was a deficit of three millions in the present year, and what reason was there to suppose that they would not come next year and call for another loan? If the money was now granted, it must be considered as a gift; and it became necessary to consider immediately whether this monopoly ought to be continued. The trade of the Company was daily decreasing, and the Americans were rivalling them in it;—some means should be devised of stopping this American trade, and transferring it to British subjects. They were at present trading without any surplus revenue, and at an annual loss, by borrowing money at high interest, and even borrowing annually to pay their dividends. Therefore, until the monopoly was entirely put an end to, there ought to be a limitation of stock, and a stop put to the payment of dividends, unless they could be paid out of the profits. Arguments of the same nature were advanced by Mr M. A. Taylor and Mr Ponsonby. Sir John Newport declared he could consider the sum now demanded as nothing but a gift; and therefore, as Ireland must contribute her share of it, he claimed in behalf of Ireland a share in the East India trade.

Whatever truth there might be in this desperate representation of the Company's affairs, it was justly observed by Mr Perceval, that the public were at present debtors to the Company, and that, if we chose to refuse them assistance, we were at least bound not to contribute to their

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distress by withholding from them what was their rightful due.—Mr Tierney also, though he delivered no opinion respecting the monopoly, spoke in favour of the petition, or rather exposed the injustice of those who opposed it. "The Company," he said, "was a great commercial body labouring under distress, not brought upon them by vice or mismanagement, but by the state of the world; and they merely required that relief which Government would give to other commercial men under similar difficulties. He hoped their affairs might undergo a complete investigation."—The petition was referred to the Committee.—About a fortnight afterwards, Mr

May 6. Creevey moved, in consequence, for certain papers, to elucidate the real state of the affairs of the Company. "The petition," he said, "contained a manifest deception. It stated the deficiency for the year at 2,400,000 *l.*, whereas it was 3,000,000 *l.* It stated also, that, after paying all their debts, the Company would have a surplus of 8,000,000 *l.*; while the foreign account was not taken into the calculation, and, when this was included, there would be a deficit of 12,000,000 *l.* He said this as a member of the Committee, and from a document laid before it. He moved, therefore, that this document should be laid before the House, and for an account of all the loans made by the Company in India." Mr Creevey commented with some force upon the unfitness of appointing persons to be members of the Committee who received pensions from the Company, or were otherwise so connected with it, that they could not be regarded as impartial judges between it and the public;—there were, for instance, two Directors in the number, and Mr Dundas, whose father had been the author of the existing system. These arguments were supported by Dr Lawrence, Lord Folkeston, and Mr W. Smith;—the motion was opposed on the reasonable ground, that all the necessary documents would soon be laid before parliament, with the Committee's report; and, as the sense of the House appeared to be against it, it was withdrawn.

Shortly afterwards, the Committee presented their first report. It admitted a claim upon the public for something more than a million and half, leaving the demand for nearly a million more undecided upon; and it confirmed the statement of the petition, that the assets in England were ample security for any assistance to that extent which parliament might think proper to grant. A frequent adjustment of accounts between the public and the Company was recommended as necessary, and its necessity exemplified by the difficulties which delay had occasioned to the present investigation. It concluded by saying, that the Committee were proceeding in their inquiry; that they were impressed with the necessity of carrying into effect reductions to a very considerable amount in the Civil and Military Establishments of India: and that this important subject had engaged the serious attention of the Court of Directors, and of their governments abroad.

In consequence of this report, Mr Creevey moved for a copy of an exposition of the affairs of the Company which had been called for by the Committee, and given in accordingly by the Directors. "The first thing," he said, "which the Committee had done, was to require this

June 2.

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general statement, which gave a view gloomy enough of the Company's situation. They then advised the petition;—but in the petition the Directors forgot their distresses; they put off their Indian debt in a parenthesis, and made out a surplus at home of eight millions. Yet the petition, and not the exposition, had been adopted as the ground of the report! Delusive, therefore, as the Indian Budgets had been, they were nothing to the delusion of this report. He moved for the exposition, though he could well conceive that many of the members of the Committee would not much relish the idea of its being made public. The friends of Lord Melville and of Marquis Wellesley would not desire to produce a paper in which the Directors ascribed their distress to the Board of Controul, constituted in 1784, and to the Mahratta war."—The motion was objected to, because it was said the exposition would appear with the second report, and it was not put to the vote.—After the report was printed, Mr R. Dundas moved, that a million and half should be paid to the East India Company, on account of expences incurred by them in the public service. Lord Folkeston opposed it, upon the ground that the report was altogether unsatisfactory. He was not supported, and the resolution was agreed to.

A measure for the relief of the West India merchants met with a very different resistance.

Feb. 24. —A Committee was appointed, upon the motion of Mr Perceval, to enquire how far it might be expedient to confine the distilleries to the use of sugar and molasses, and what other means could be devised for the assistance of the planters. Their first report related wholly to the distillation, and recommended the proposed restriction both for England and Scotland; not for Ireland,—because the peculiar situation of that country, the great prevalence of illegal distillation, the love of whisky, and the relaxed conduct and corrupt behaviour to which, it was said, the revenue officers have been unfortunately too much addicted, would render any such restriction fruitless. A suspension of all intercourse in spirits between the two islands, during the continuance of the restriction, was the best security that could be devised. In order to render the sugar spirit as cheap to the consumer as that which it was intended to supplant, a reduction in the duty on the wash was advised. But because, in the event of a superabundant harvest, the restriction might be found very hurtful to the agricultural interests of the country, the Committee recommended, in the strongest manner, that any bill brought in in consequence of their report, should contain a clause granting a power to the King in Council to do away the suspension, and allow the distillers to carry on their trade in the accustomed manner.

No measure during the whole sessions occasioned so violent an opposition. It was argued, that the distilleries, by causing more corn to be raised than was necessary for food, enabled us, in time of dearth, to take this superabundance for food, and thus had the effect of national granaries. Those newspapers that were more especially hostile to the Ministry, caught at the occasion, and denominated the proposed measure, an experiment to sterilize the country for one year,—an act to interrupt the rou-

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tine of crops;—a bill to create a scarcity of corn by discouraging the growth thereof. An outcry was raised by the philosophising agriculturists;—the landed interest took the alarm,—and county meetings were called to petition against the restriction. This outcry was not less preposterous than selfish. It had been proved, that the annual importation of corn into Great Britain amounted to 770,000 quarters, the greater part of which supply was now cut off, nor was there any prospect of the former markets being opened to us. The annual consumption in the distilleries was 470,000;—by the restriction, this quantity, amounting to more than half the deficiency, was brought into use as food, while at the same time a material relief was afforded to the West India merchants by consuming their produce, for which they had at present no demand. No person contributed so much as Cobbett to set the public opinion right upon this subject; his coarse but vigorous talents were on this occasion usefully employed in exposing the folly, the sophistry, and gross self-contradictions with which the landed interest would have prevented all relief to the planters, without deriving any advantage to themselves, and to the plain, palpable, demonstrable, and demonstrated injury of the country. So strong was the opposition in parliament, (for many members seeing it so strong, seem to have joined it merely upon party views,) that on the *May* 19. question for going into a Committee, there was only a majority of fourteen. It was resisted pertinaciously step by step, but finally the bill passed.

Three other reports were presented by the Committee in the course of the session, all tending to the relief of the planter. In the second they recommended, either that the importation and use of foreign spirits should be prohibited during the war, or that the duties on them should be greatly increased. The manner in which the trade for them is carried on is by neutral vessels, with particular licences from the Privy-Council. They go out in ballast, (for any articles of British manufacture, or colonial produce, would render them liable to confiscation,) and they bring back foreign spirits, wines, and fruit, but no article useful to the British manufacturer. It is therefore both the policy and practice of the French government to connive at this traffic, and protect it. Any means of checking it would increase the consumption of rum. The Committee had thought of equalizing the duties upon rum and British spirits, but upon inquiry it appeared that this would materially injure, if not altogether ruin, our home distilleries.—Such was the substance of the second report.—The third related to the trade between America and the West India colonies, a trade which was made ruinous to the planter by the restrictions which fettered them. Rum and molasses are the only articles of their own growth which they are permitted to barter with the Americans; these therefore they exchange to great disadvantage when the American merchant will take them, but in general he insists upon specie or bills of exchange. At least two-thirds of the supplies imported from America are thus paid for;—with the money thus obtained he goes to the enemy's colonies, purchases colonial produce there with the advantages that money

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gives him; and then, under his neutral flag, supplies the continent of Europe with the growth of the enemy's islands. The Committee, therefore, earnestly recommended that the colonists might be permitted to barter sugar and coffee; and that stronger measures should be taken to interrupt the intercourse between the enemy's colonies and the United States.—In the fourth report, it was proposed to reduce the prohibitory duties on the importation of refined sugar, which was eight guineas per hundred, and render it only equivalent to that upon raw sugar. By these means the loss from drainage upon the voyage would be saved, amounting nearly to one-eighth of the whole;—the freight would be proportionately reduced, and the planter would gain from every hundred weight of sugar which he refined, materials for the distillation of nearly three gallons of rum. Admitting that this measure should injure the refining trade in England, to the amount of one half the capital, which was as it were incommutably employed in it, the compensation would not be equal to the sum annually lost to individuals and the nation by the present system, in consequence of this oppressive and impolitic prohibition. A plan had been proposed for fattening cattle with sugar,—if it should be found successful, it would then be necessary to inquire whether a drawback could be allowed on all that was so employed;—this, however, was only hinted at, because no conclusive experiments had yet been made. The Committee were clearly of opinion, that, if a practicable commutation of any part of the duty could be devised, it must afford relief to the planter, either by diminishing his charges to that amount, if the market-price continued the same, or by increasing the number of consumers, if it fell. In this view they recommended a regulation of the duty to be governed by the average price. They did not think it necessary to advise a reduction of the duty on coffee, inasmuch as a bill for that purpose was in its progress through the House.—This act was passed in the course of the session.

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CHAP. VIII.

Debtor and Creditor Bill.—Criminal Law.—Cold-Bath-Fields Prison.—Offices in Reversion.—Greenwich Hospital and Naval Asylum.—Army Clothing.—Lotteries.—Vaccination.—Mr Palmer's Claims.

The remaining proceedings of parliament may be classed under three heads,—1. the Alteration of Existing Laws; 2. the Reform of Existing Abuses; and 3. Projects of General Utility.

March 11. A bill was brought into the Upper House, by Earl Moira, for amending the law of Debtor and Creditor.—He explained its object as relating to arrest on mesne process, and imprisonment in execution, in both which the intention was to shorten the duration of imprisonment; in the former, by compelling the plaintiff, where the writ was issued in one term and returnable in the next, to declare in the term of the return, and proceed to trial in the succeeding term; and, in the latter, by releasing the debtors at certain specified times, at the quarter-sessions, on assigning over their property in possession and reversion, and also rendering their future property liable,—according to the principle of the *cessio bonorum* introduced into the Roman law by Cæsar, and adopted by Justinian. A similar law had long prevailed in Holland and in Denmark, where experience had proved its efficacy.—Lord Ellenborough said, in reply, that the creditor was more frequently an object of compassion than the debtor;—that arrest was, generally speaking, the best means of producing payment or composition of the debt, and did produce that effect in five cases out of six:—that the bill was drawn up with great ignorance of the law, and was wholly inadequate to its object: and he condemned any attempt to innovate upon a long established law.—This was ably answered by Lord Holland. "If the objection to innovation were to hold good," he said, "no change whatever, either in law or practice, ought to take place; and in fact their Lordships, and the other House, ought not to meet for the purposes of legislation. It was needless to specify the evils of the present system, they were so many, so apparent, and so notorious. Why were those frequent acts of insolvency passed, if the legislature were not aware that there was something peculiarly offensive in continued impri-

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tonment for debt? As for the inadequacy of the bill, and the ignorance with which it had been drawn up, he could only express his regret that those noble and learned persons, whose peculiar province it was to endeavour to render the law of the land as unexceptionable as possible, did not take the subject into their own hands."—Lord Ellenborough's condemnation of the bill was fatal to it; his objections to its form and inadequacy must fairly be supposed to have been valid, but the practice of imprisonment for debt, as prescribed by the existing laws, is a grievance and a disgrace which ought to be removed from England.

It had hitherto been the practice to make a distinction between an indictment found by a Grand Jury, and an information filed by order of the Court of King's Bench, or by the Attorney-General *ex officio*. A bill was now brought in, enacting, "That on informations, as well as upon indictments, the parties were to be held to bail." It passed unopposed, and indeed altogether unnoticed, through the House of Commons. In the Upper House it was opposed by Earl Stanhope, Lord Holland, and Lord Erskine. They argued that it was a mischievous, unnecessary, and dangerous innovation, to require bail equally upon an indictment presented by 12 sworn men, and upon the mere filing of an information by the Attorney-General, (which might or might not be founded upon affidavit,) thereby giving to the Attorney-General the power of a Grand Jury. It was nothing to the point, that the present Attorney-General would not abuse his power. They were to consider what future ones might do, and to remember how, in former times, the foulest legal murders, which the Crown required, were sanctioned by its great law officers. The King might be deceived, and a worthless person appointed Attorney-General; or an Attorney-General might be deceived, and informations *ex officio* might be filed for expressing opinions which every man had a right to express; and persons might, under the operation of this bill, by being held to bail, be grievously oppressed. The bill tended to fetter the freedom of opinion, by placing those who uttered opinions disagreeable to Government, in the power * of an officer of the Crown.—It was replied by Lord Ellenborough and the Lord Chancellor, that the innovation was not so great as had been represented, for, as the law at present stood, persons might be held to bail by any justice of the peace upon a charge of misdemeanour. That the bill was humanely adapted to

May 19.

May 24.

* Earl Stanhope, to instance this, related a story of two link-boys, who were taken up for uttering a libel, in the days of Wilkes and Liberty: one of them, called Jack, who could not read, handed it to the other, named Will, and begged he would read it to him; in the act of doing which the beadle took them both up, and carried them before the magistrate. Jack pleaded that he, not being able to read, had only desired the other to do it for him. "What are you?" said the magistrate; "Please your honour," answered Jack, "I am an anti-ministerial writer." "What," said the magistrate, "how can you be a writer on either side, if you can't read?" "Oh, your honour," replied Jack, "I chalks 45 on the lords' coaches." Such a poor anti-ministerial libeller as Jack, might, by an information *ex officio* under this bill, be imprisoned for want of bail to the end of his days.

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give relief to the prisoner; for it would prevent a person sent to prison for want of bail, from remaining there for years (as it might happen) without the means of bringing on his trial; and the Judge who tried him, though not a Judge of the King's Bench, might discharge him if acquitted.—The bill passed. Its good parts might have been retained, and its objectionable ones omitted,—for assuredly in this country, and in this state of society, it is highly objectionable to arm the servants of the Crown with new powers against freedom of opinion in the subject.

May 18. A more extensive subject of discussion was brought forward by Sir Samuel Romilly. "His intention," he said, "had long been to propose some measures for reforming the criminal law of this country, in which it was a very great defect, that capital punishments were so frequent; and were appointed, he could not say inflicted, for so many crimes.—No principle could be more clear, than that it is the certainty, much more than the severity of punishments, which renders them efficacious: but if one were to take the very reverse of the principle, that would be a faithful description of the criminal law of England; in which punishments are most severe, and most uncertain in their application. If we deduct the number of those who receive sentence of death for crimes for which pardon is never, or very rarely, granted, and take the number of those who are convicted of felonies, which have been made capital for some circumstances, which are not in truth circumstances of aggravation, perhaps it will be found that of 20 persons condemned to die, only one suffers death. The question is, whether the administration of justice should be suffered to continue in such a state, where the execution of the law is not the rule that is observed, but an exception to it, and where it has been lately said in language, which one would expect to hear rather from the lips of a satirist than from the seat of judgment, that the "law exists indeed in theory, but has been almost abrogated in practice, by the astuteness of judges, the humanity of juries, and the clemency of the Crown."—His present purpose was to call the attention of the House to one class only of these severe statutes that had, from the change of circumstances, acquired a severity which was not originally intended: those in which the capital part of the charge depends on the amount of the property stolen; such as the statute of Elizabeth, which punishes with death the stealing privately, from the person of another, property to the value of 12 pence; the act of William and Mary, which makes privately stealing in a shop, to the amount of 5 shillings, a capital felony; and many other statutes of the same kind. Such an alteration had taken place in the value of money since those statutes passed, that it was astonishing that the law should have been suffered to remain in words the same to the present day; the offences, in the mean time, having become altogether different. Perhaps there was no case which could render more striking the truth of Lord Bacon's observation, that time was the greatest of all innovators; for in proportion as every thing which contributed to the support, the comfort, and the luxuries of life had grown dearer, the life of man had become

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cheaper and of less account.—Such laws cannot be executed. Juries are reduced to the alternative of violating their oath, or, what they are sometimes mistakenly induced to think more binding on them, the dictates of humanity. Often against the plainest evidence, they find the property not to be of the value of which they and every body else know it to be; and this comes to be considered, as Blackstone somewhere expresses it, as a "pious perjury," words which one is sorry to see ever put together: for nothing can lead to more immoral consequences, than that men should familiarize themselves with the violation of a judicial oath. The law ought not to remain so. Offenders are often acquitted against the clearest evidence; and the very severity of those laws, by a necessary consequence, holds out an encouragement to crimes. While there are thus two laws, one upon the statute book, and another in practice, a total change has taken place in the nature of that which is considered as the most valuable prerogative of the Crown; the prerogative of shewing mercy. The true state of the case is, that, in exchange for that prerogative, the Crown has the painful duty imposed on it, of selecting those upon whom the judgment of the law shall be executed. In London and Middlesex this is done by the Privy Council, but upon all the circuits this duty devolves upon the different judges of assize; and it is felt by them to be the most painful of their duties. No rules are laid down to govern them in the discharge of it; but they are left to their own discretion, which must necessarily be as various as are their different habits and sentiments and modes of thinking. It may be the opinion of one judge, that punishments ought to be inflicted most strictly when crimes are most frequent; another, with the same anxiety for the discharge of his duty, thinks that it is most useful to be rigorous when crimes make their first appearance. One judge is more influenced by humanity; another more swayed by a sense of what is due to the sense of the community. And thus their discretion is apt to be exercised under motives not only different, but often quite contrary. The question was, what should be the remedy?—He had at first intended only to move to repeal the statutes, and to propose others in the same words, only with sums equivalent to the value of what was originally fixed by the legislature; but when he found that he would thus be enacting capital punishments for offences, in which there are no circumstances of aggravation, he could not bring his mind to do it, and he determined to propose the simple repeal of all those statutes. As, however, they will require different considerations, he judged it most expedient to bring them one by one under the review of the House; and he proposed, therefore, to begin with the most objectionable, the 8th of Elizabeth, chap. 4., which made stealing privately from the person a capital offence: declaring it at the same time to be his intention, and wishing it to be understood, that he will at proper times bring forward a repeal of the others. The unnecessary severity of the 8th Elizabeth, its absurdity and want of logic, made it a disgrace to the statute book. Reciting that the offence was sometimes committed under circumstances which were an aggravation, therefore it enacts that

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in all cases, and although there was no aggravation, clergy should be taken away. In his time, he never had heard but of one single instance in which an offender, convicted under this statute, suffered death; it was a case upon the northern circuit, where a pick-pocket detected in court was immediately tried and left for execution. It was a solitary case as far back as he could remember, and even if that had been omitted, it would have been no great misfortune. Under this statute, from the strict construction which the judges observed of the word "privily," that very violence which would be an aggravation of the offence, if it is not such as to amount to robbery, saves the offender. There was another subject which, he thought, required the interposition of the legislature; it was to provide, in certain cases, a compensation to persons tried and acquitted, after having been long detained in prison. At present they have no compensation, except by an action for a malicious prosecution, where the judge is satisfied there was no probable cause. If suspicion of having committed a crime falls upon an individual in the labouring class of the people, whose family depends upon his daily wages for subsistence, he may lie eight months in gaol; for that is sometimes the interval between the summer and Lent assizes; and in the four northern counties, he may be imprisoned above a year. His family in the mean time is, probably, consigned to the workhouse, and when he returns home after an acquittal which completely establishes his innocence, he finds them ruined in their health or corrupted in their morals. If, for the convenience or utility of the public, private property is ever interfered with by the authority of parliament, full compensation is carefully made to the owner; but what is that loss which is thus compensated to the opulent, compared with the injury suffered by the poor man in the case he had mentioned? The discretion of saying in what cases compensation should be given, could only be reposed in the jury or in the court; and he thought that there could be no hesitation between those two. The jury ought not to have their attention diverted from the single point of ascertaining the fact, of guilty or not. Fortunately there was already in our statute book, an act which he should take as a model. Till the year 1752, no compensation was made by law to prosecutors for their expence and trouble in bringing offenders to justice. Before such compensation was allowed, it often happened that the prosecution was by much a greater evil to the person, whose property had been taken from him, than that loss of property by the offence. The 25th Geo. II. chap. 36. § 11. placed it in the power of the court, upon consideration of the prosecutor's circumstances, to grant him an order upon the treasurer of the county for his expences, and a reasonable allowance for his time. He meant to make this the model of the bill he proposed to move for leave to bring in, following the principle of the act of Geo. II., and giving compensation to persons acquitted only in the same cases where it was already by law given to the prosecutor. He moved, in the first place, for leave to bring in a bill to repeal so much of an act made in the 8th year of Queen Elizabeth, as takes away the benefit of clergy from persons convicted of stealing privily from the

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person of another; and a bill to provide, in certain cases, compensation to persons tried and acquitted in a criminal court, for the damages sustained by them in consequence of having been detained and brought to trial.

To this very able, impressive, and important speech, Mr Herbert replied, by saying, "that he was one who approved the laws, and thought that very good grounds ought to be established before any innovation was made on them. The principle of compensation," he said, "was particularly objectionable; many idle persons in Ireland, he suspected, would think it no hardship to be accommodated with lodgings in prison." Sir John Newport replied, that in the Irish prisons men's toes were sometimes eaten by the rats; was that the sort of accommodation which the Hon. Gentleman thought so agreeable to the Irish people?—This occasioned a warm assertion from another Irish member, that the prisons were managed with as much humanity in Ireland, and particularly in the province of Ulster, as in England. After this curious digression, some weighty objections were made to the practicability of granting discretionary compensation to persons acquitted. Sir Francis Burdett said it was to his mind a grievous consideration, that, after a verdict of acquittal by a jury, it should be possible to tell any man that he was not honourably acquitted, but that an imputation of guilt still attached to him. And what a responsibility was imposed upon the judge, who was, after a verdict of acquittal, to determine whether that acquittal was honourable or not! A similar opinion was expressed by the Solicitor General.—Leave was, however, given to bring in the bill.

Accordingly, on a subsequent day, Sir Samuel Romilly moved for a committee of the whole house upon the privately stealing bill. Upon this Mr Burton rose. He had had some experience, he said, in the administration of criminal law during twenty or thirty years, and he wished to state some observations before the Speaker left the chair, because they were connected with the principle of the bill. The preamble laid down very general abstract positions, which far exceeded the object of the bill, and condemned a large proportion of the existing laws. Now nothing could be more objectionable, than, to pronounce by statute such a condemnation, and yet to leave those very laws in full force. To him, therefore, it appeared indispensable to expunge the preamble altogether. This Sir Samuel consented to do, though he wished it to be retained, because it contained the reasons on which the bill was founded. Mr Burton proceeded to say, that, in as much as the bill took away the punishment of death from the offence in question, he was inclined to approve it, but he could by no means accede to the propriety of reducing the punishment down to the standard of simple larceny. The statute of Elizabeth, which had been commented upon so severely, contained a statement of facts, which the experience of two centuries and a half had verified, and which was equally applicable to the present time. It states, that the offenders then called cut-purses were very numerous, confederated into fraternities of an art, or mystery, to live idly by secret spoil, frequenting, for that purpose,

June 15.

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places of public resort, such as places of divine worship, the court, courts of justice, fairs, markets, and places of execution, and being habited in such a garb as to elude suspicion. At this present time, he was well informed by experienced magistrates, that many underwent a regular training to the art, that they plundered to such an amount, and were so far confederated, that large sums were never wanting for the purpose of procuring the ablest assistance upon their trials, or of buying off prosecutors or witnesses. That these practices prevailed to an alarming extent, and could not be repressed without a severer punishment than transportation for seven years, (the highest punishment for simple larceny,) he could unfortunately testify, from his own experience in the county palatine of Chester. During four or five years preceding the spring of 1806, several boys had been brought to trial; the numbers had been continually increasing, till at one assizes seven or eight appeared to be confederated in a regular gang, upon the same system as exists in the metropolis. Milder punishments having been tried before, two of them were now sentenced for transportation for seven years—but so little terror did this inspire, that, at the spring assizes in 1806, among forty prisoners there was the melancholy exhibition of no fewer than seventeen boys, between the ages of twelve and sixteen. They came from the manufacturing part of the county, and their offence was generally that of privately stealing either from the shop or the person. It was now judged necessary to make a severer example,—two of them received sentence of death, and were recommended to mercy, on transportation for life. This had its effect for during the four last assizes, only four boys had appeared in the Kalendars, and none of them members of any regular confederacy. Reasoning from these facts, he recommended, that, instead of death, transportation for life should be substituted, or any time not less than seven years: or a long or short imprisonment, with or without hard labour, at the discretion of the court. A clause to this effect was accordingly proposed by the Solicitor-General. This led to some remarks upon transportation, which Mr Williams Wynn well observed was generally better for life than for a limited term; because, when the culprits returned, they were, in most cases, compelled to revert to their former habits, being wholly without character or protection. Mr Burton supported this opinion, as also did Mr Abercromby, who pledged himself to bring the subject forward. With this clause the bill was recommitted, but no further discussion took place during the session.—These proceedings have been thus noticed at length, because it is to be hoped that they will lead to changes not less extensive than beneficial in the whole system of our criminal laws. A society, of which Sir Samuel Romilly is a member, has been formed for procuring the abolition of the punishment of death in all cases. How far the principle upon which they proceed may be right to this extent, may more properly be examined hereafter, when the subject is introduced into parliament. Some good must undoubtedly be produced by the society. We have lived to see the slave trade abolished, and limited service introduced into our army,—measures which have cleared the character of England from its two foulest stains. Let us hope and trust that we shall

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see also a thorough reformation of our penal laws,—still more, that some measures may be taken for the prevention as well as the punishment of crimes,—that the root of the evil may be reached by a system of national education, founded upon the excellent plans of Dr Bell.

Many difficulties will, beyond a doubt, occur in reforming the penal laws, none, however, that are insurmountable; and the attempt will be opposed by no persons, except those who are in all cases for the old *mumpsimus*. It is far more difficult to reform our prisons—with that subject personal and party feelings have too often been mingled, to the disgrace of the country. During the administration of Mr Pitt, Sir Francis Burdett complained to the House of the abuses committed in the Coldbath-fields prison, where some state-prisoners, and among others Colonel Despard, were confined, under the suspension of the Habeas Corpus. The way to have disarmed Sir Francis would have been, by immediately and effectually redressing the grievances of the prisoners,—nothing was so easy as thus to have acquired a character of humanity for the government, which would have reconciled many of its opponents to the system of suspicion that it had been thought necessary to adopt. But, both on this occasion, and in the Irish horrors, that ministry permitted and excused the cruelties of their lowest and basest partizans; not reflecting, that, by screening such wretches from justice, they made the cause their own, and implicated themselves in the odium. A commission was at last appointed by Mr Pitt, to visit the prison, and examine into the truth of the complaints; every thing was prepared for their visit; and it will not be doubted, that every exertion was made to screen the existing abuses from the observation of the Commissioners; yet there were abuses which they could not but see and point out; and still nothing was done in consequence. A petition was now presented by Mr Sheridan, from the grand jury of Middlesex, relating to abuses in the same prison. It stated, that they had visited the prison, and discovered that the loaves, (each of which ought to contain sixteen ounces, and to be distributed daily at ten o'clock in the morning,) were greatly deficient in quantity, some of them being from an ounce and a half to two ounces under weight; the pound weight of the prison, which was used for weighing meat and other provisions in the prison, was found to be seven-eighths of an ounce too light, when tried by the standard weights in Guildhall; the scales also were false and fraudulent. These facts were attested by Mr Sheriff Phillips, who, with that attention to the duties of his office, which he eminently displayed during his shrievalty, addressed a formal communication of them to Mr Mainwaring, chairman of the quarter-sessions. Farther, the petition stated, that they found several persons committed to close custody in cells destitute of fire, eight feet three inches long, by six feet three inches wide, two of them in irons, although sick; some, if not all, innocent in point of fact, as all were then innocent in point of law, being detained under the pretext of re-examination, and, consequently, uncondemned by the legal judgment of their peers, or even the accusatory verdict of a grand jury. Of this number were a mother, a daughter, and a son, of creditable appearance; the

Feb. 18.

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two former in one cell, so situated as to be exposed to a continual current of external air, without the possibility of obtaining, even during the severest frost, an artificial warmth by means of fuel, while the convicts below enjoyed all the comforts of an open roomy ward, with occasional access to fire. That in one of these lonely cells was closely confined a foreigner of some rank, the Chevalier de Blin, who, it was said by one of the jailors, while so immured, had been deprived of his reason, and who presented to the petitioners a memorial on his knees. That in this place, originally destined for the improvement of the morals of petty offenders, a female prisoner had been lately debauched by the son of the chief jailor, or governor, who then held an office of trust in the prison, and had since had a child, now, or at least lately, burdensome to the parish of Kensington, in the county of Middlesex. That four debtors were shut up in this house of correction, the only communication between whom and the world, appears to take place occasionally, by means of two iron gates, at upwards of six feet distance from each other, with a jailor walking in at intervals, so as to preclude complaint; and that, from the examination of a debtor, and also, by a letter from him, both in the possession of the petitioners, it appears that he was shut up with persons guilty of robbery and unnatural crimes. And, lastly, that six innocent persons, the bills against whom had been thrown out by the grand jury, were dragged from Cold-Bath-Fields prison to Hicks's-hall, in open day, at the close of the session, first manacled, and then fastened together by a rope, to be discharged by proclamation. The petitioners, therefore, conceiving that such gross instances of fraud, coupled with such an open violation of the laws, and even of the express orders of session, are calculated to bring the government into contempt, and cast an odium on the constitution; thinking also, that if such mal-practices were detected in a casual and slight survey, of less than two hours duration, far greater abuses are likely to be brought to light, by the intervention of the grand inquest of the nation, solicited the house to take the matter into consideration; and, by a public and open examination at its bar, or any other mode, afford such relief as may seem meet. The petition was ordered to lie on the table.

March 17.

About a month afterwards, Mr Sumner asked, whether Mr Sheridan meant to found any proceeding on it? Mr Sheridan replied, that he wished to give ministers a reasonable time to suggest some remedial measures. But, after what had formerly happened, he had no great hopes from that quarter; and should, therefore, if nothing were proposed by them in the interim, bring forward a specific proposition in the ensuing week. Upon this, Mr Sumner accused the petitioners of being actuated by no other motives than the desire of obtaining a bad popularity, by exciting public clamour, to the injury of the character of others; and he said, that, to do justice to those respectable men, the magistrates of Middlesex, he must move that their report upon the subject be laid before the House. —Mr Perceval said, he did not wish to throw any obstacle in the way of a thorough investigation; and he would now state, that a commission was preparing, in which all the persons, now living, who had been on

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the former commission, would be reappointed, and such names added as would give satisfaction both to the house and to the public. Sir Francis replied, that neither the petitioners nor the country would be satisfied, if the House of Commons did not appoint a committee of their own, for the purpose of investigating the complaints of the petition. He was not surprised that the Chancellor of the Exchequer wished to avoid this, aware, as he must be, of what would be the result of a public investigation. —The prison-weights were short of the legal standard; innocent men were confined in irons; the gaoler was in the habit of whipping and beating the prisoners by his own authority; he was in the habit also of borrowing money, and accepting bribes from the prisoners;—these were the least enormous of the facts that would come out.

Mr Sheridan, then, as Sir Francis had done before him, commented on the extraordinary conduct of Mr Sumner, who, having asked him whether he meant to bring forward any motion upon the subject, and being told that he did, had immediately made a motion himself to take the business out of his hands! Who had construed a petition, praying for a redress of grievances on the part of the people, into a charge against the magistrates of the county, and adduced no other reason for enquiring into the matter of the petition, than that he wished to vindicate their characters! He had no objection that the report of those magistrates should be produced;—but he would mention a circumstance, to shew how little weight any representation from them ought to have in circumstances like the present. A poor girl had brought a charge against a lawyer for a rape; this person, either by bribing the Governor, or by some other means of influencing him, got her immured in a cold, damp, cell, where she was so scantily fed on bread and water, that, when she came forward to give her evidence in court, she could neither speak nor stand; and the magistrates of Middlesex, after inquiring into the circumstances, drew up a representation, to which sixteen signed their names, that the father of the girl was a poor button-maker, and that it was impossible she could have been worse fed in prison than she would have been at home.

Some party feeling appeared in Mr Mellish, as well as Mr Sumner, upon this business. The report, he said, contradicted the allegations of the petition, both as to the charge, that the Governor's son had debauched one of the prisoners, and as to the weight of the bread. Mr Mellish seems to have thought it necessary to appear as Sir Francis Burdett's opponent, or he would have recollected, that no report of the magistrates could invalidate the attestation of Mr Sheriff Phillips upon this subject, before whom the prison-bread and prison-weights had been tried, by the standard weights of the kingdom, and found wanting. Well might Sir Francis Burdett say, there was something extraordinary in the support which this gaoler Aris received, who was notoriously a bad character, and had himself confessed that he had borrowed money from his prisoners, beat them, whipped them, and taken bribes from them! Mr Wilberforce wished to take the business out of the reach of party feelings, and submit it to such magistrates and others as had bestowed considerable attention upon the subject; he, therefore, thought the best plan would be to

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refer it to a government commission, according to Mr Perceval's intention. A Parliamentary Commission was thought preferable by Lord Folkston, —a Committee of the House by Mr W. Smith. Mr Sheridan, however, moved for a select Committee, to examine the allegations of the petition, or report upon it; his motion was opposed by Mr Perceval, upon the ground that a commission by government was the preferable mode; and it was negatived accordingly. No farther proceedings took place in parliament. The sure method of having our prisons regulated in the best possible manner, would be, to entrust the superintendance of them to the quakers; however painful or laborious the charge, it would be willingly undertaken, and faithfully performed, by that excellent and most exemplary society, for no other reward, or motive, than the satisfaction of doing their duty, in alleviating the sufferings of the unfortunate, and in endeavouring to effect the reformation of the guilty.

The bill to prevent the granting of offices in reversion, which had been thrown out by the upper house *Jan.* 25. in the preceding year, was again brought forward by Mr Bankes. When he moved for leave to bring it in, Mr W. Dundas was the only person who opposed it; for, when the abolition and reformation of offices, he said, and the limitation of the prerogative of the crown with respect to them were talked of, he could not help recollecting that Burke, who had been most active, in the early part of his political career, in reforming and abolishing offices, and in limiting the prerogative of the crown, had lived to lament and condemn all those reforms, abolitions, and limitations. This was contradicted by Mr Horner. They, he said, who were honoured with that great man's friendship, or who were acquainted with his very last work, knew that he took honour and credit to himself for having pursued such measures as tended to every species of economical reform; they knew, that, to the latest hour of his splendid career, he was as zealous and as sincere an enemy to rapine and public malversation, as he was in the most vigorous period of his memorable life. Mr Whitbread availed himself of a personal argument;—the Right Honourable gentleman, he said, was certainly right in voting against the bill, for he was himself in possession of an office granted to him in reversion. In many instances, appointments were granted to persons while they were mere infants;—this, then, was certainly an improper use of the prerogative. The Chancellor of the Exchequer was an instance of this, having been appointed to a lucrative office while an infant, which office was now held in reversion by his brother Lord Arden. That grant was certainly made when it could not have been foreseen that the Right Honourable gentleman would turn out to be a person of such transcendant abilities, capable of holding the high and important situation which he now filled. The office, however, did not require such talents,—for, he believed, it required little more than were sufficient for counting the money arising from its emoluments. He trusted the House would uphold its own honour and character, by again sending the bill to the House of Lords.

The bill past on to the third reading without farther opposition, when Sir Samuel Romilly regretted that ministers had given no opinion upon it; for, though *Feb.* 1.

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he supposed they were not hostile to it, because they had not opposed it; still, it was of no small importance for the house to know whether it had their support or not. Mr Perceval replied, he knew not what right Sir Samuel had to call upon him, or any of his colleagues, for their sentiments on the occasion. He saw no reason to expect much benefit from the bill; but it had come originally recommended by a committee, as being calculated to diminish the public expenditure, and, therefore, it appeared to him not to be a subject that ought to meet with opposition. Lord Arden, however, thought differently; he, when it came before the House of Lords, moved, that the order should be discharged; he complained of the conduct of the Commons, in persisting in the measure, as an encroachment on the privileges of that house; and warned their Lordships to remember the year 1641, and the calamities which had ensued. This preposterous alarm was enlarged upon by Lord Redesdale. The bill, he said, appeared in the shape of a threat;—as the commencement of measures, the end of which we might lament too late. Let their Lordships look to the beginning of the French revolution!—that also had begun by the reform of abuses—the adoption of an economical system. If their Lordships were wise, they would meet this first attempt of a similar nature, and not yield to it. For his part, here he should make his stand. Such arguments, on such an occasion, scarcely merited refutation; they were, however, well refuted by Lord Holland, who affirmed, that the transactions of 1641 were produced by high prerogative lawyers stretching the prerogative too far.

March 10.

Earl Grey made one of his best speeches upon this subject. There were offices, he said, now enjoyed by persons, under such grants, wherein, from a variety of causes, such a considerable advance in the salary and profits had taken place, as never could have been in the contemplation of the crown when it bestowed them, or in the view of the public, when it assented to that prerogative, in virtue of which, the power of conferring them was exercised. Indeed, in the case of the noble lord who has thought proper to move the amendment of this night, I find the strongest illustration of this proposition. In adverting to this fact, I am as sincerely impressed as any man who hears me, with his valid and just title to the benefits of the situation which he holds. Neither can I be supposed to attribute to him any other motive for the line of conduct he has adopted on this occasion, than the conviction he entertains of the injustice and impropriety of infringing on the prerogative; a consequence which he, in my opinion, has so delusively attached to this measure. But, is there a man who hears me, who is not fully convinced that the salary of the reversionary office which he holds, has, by the operation of unexpected and recent causes, totally changed its original extent, and advanced in profit far beyond any estimate that ever was entertained, either by the person who granted, or him who received the office originally? If I am not much misinformed, that place has advanced in income, from comparatively a very trifling amount, to the enormous sum of 20,000*l.* per

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annum. Can the noble and learned Lord still complain of the want of proofs, in order to establish the expediency of this prohibition? or can the house believe that this is a solitary case, or one not sufficiently strong to induce your Lordships to interpose a legislative correction against the continuance of such a dangerous system? We have been referred to the reign of Charles I.;—but were the calamities of that reign to be attributed to any concessions to the claims of the people? Unhappily, the melancholy fate of that prince can be traced to the obstinacy with which every improvement was opposed, to the unbending disinclination to conform to the spirit of the times, and to the progress of mental advancement;—and let it not be forgotten, that when forced into a momentary acquiescence to the desire of the nation, the first opportunity was seized to add perfidy to refusal.—And, my Lords, with respect to the French revolution, where can we find a more signal and melancholy exemplification of the danger of not yielding to those plans of salutary and wholesome correction, which the defects of all human institutions render absolutely necessary? And here I call upon those who are so particularly attached to the court, I call upon those illustrious and royal personages opposite to me (the Dukes of York, Cumberland, and Cambridge,) who are so active in their opposition to this measure, to reflect upon the fallen and prostrate state of the legitimate sovereigns of Europe, to consider the lamentable change which has befallen some of the most illustrious families on that continent, some expelled from the thrones of their forefathers, or degraded into the lowest vassalage to the great and inordinate power of France. Be assured, that much as the unrivalled conqueror of the European continent owes to his own extensive talents for success, much as he is indebted to the undisputed sagacity of his plans, and to the rapidity and discipline of his armies, for his gigantic elevation,—he has had great and powerful auxiliaries, in the selfishness, the sordid views, the illiberal jealousies, of the dynasties he has subverted; in the apathy and torpor of the oppressed and despised population over whom he has triumphed. Convinced, as I am, of these truths, I conjure this house to hesitate, before it commits itself with the country, by the rejection of a measure which the people expect, and which, in its operation, must tend to alleviate the pressure of the severe, though unavoidable, burdens under which they labour.

The Lord Chancellor opposed the bill, as wholly unfit to pass into a law, from the vague manner in which it was drawn up, and the general enactments which it contained. Lords Carlisle, Auckland, Moira, and Hood, opposed it as an unnecessary innovation upon the prerogative, and nugatory in itself. Lord Arden's motion for discharging the order of the day, was put to the vote, and the votes being equal, the motion was rejected, according to the usage of the house. Lord Hawkesbury then proposed, that the bill should be enacted for a time only, so that its principle might be tried before it was made permanent; and moved, therefore, that the words, 'until the first day of June, 1810,' should be inserted in it. This was negatived. In consequence, when the bill *March* 15. came to a third reading, his Lordship said, he must give it his

decided negative; and when the ministry, instead of trimming the scales, threw their weight against it, it was lost by a majority of eighty. A protest against the rejection, was signed by Lords Essex, Jersey, Vassal Holland, King, Cowper, Ponsonby of Imiskilly, Lauderdale, Grey, Albemarle, Ponsonby, Stafford, Carrington, Spencer, and Clifton, Earl of Darnley.

Upon this the subject *March* 28. was resumed in the lower house, where Mr Bankes moved for leave to bring in the bill for a limited time. The Committee of Finance, he said, had originally recommended, that the power of granting offices in reversion should be suspended, till they had concluded their enquiries as to what offices were fit to be abolished, and what to be reformed. He was at all times averse from agitating any questions which might occasion differences of opinion between the two houses, and he hoped that the objections which had been urged by the Lords would be removed, by limiting the duration of the bill to such a time as would enable the committee to make their report. As to the question of prerogative—with every respect and regard for the executive government, he could not carry his deference for it so far, as to believe that any office, in a free constitution, could be established on any account, except that of the public service; and if, from change of circumstances, offices of duty became offices of sinecure, so that the establishment of other offices of duty became necessary, he could not agree that these useless sinecures ought to be retained. Mr Perceval replied, that he had no objection to the motion, but must candidly state, that he should feel it his duty to propose several amendments. He had always considered the measure as of no great importance, and would rather oppose it than risk a difference between the two houses;—but it was probable that the bill might be so framed as to answer its chief objects, and yet obviate the objections which had been made elsewhere. He should propose, that no grant should be valid until it had been publicly announced in the London Gazette,—thus effecting one object of the house—that of attaching immediate, instead of remote, responsibility to the advisers; and that, for a limited period, every reversionary grant should be subject to abolition, or any alteration that his Majesty, with the advice of parliament, might think proper to make in it; by this means, the expectations of the house, of any reform or retrenchment resulting from the report of the Committee of Finance, would not be disappointed.

This produced an able and animated speech from the Hon. J.W. Ward. There existed in this kingdom, he said, a description of persons increasing with the weakness of the country—persons unconnected with any party in parliament, but whose great object was to decry parliament altogether. The leaders taught, and the followers believed, that parliament disregarded the interests of their constituents. This was a danger daily augmenting; the only way of meeting it was, by a conduct that should not only be free from guilt, but also free from suspicion; by adopting measures that should show unequivocally the disposition of parliament to correct public abuses, and to reduce the public expenditure. For this purpose, it was most desirable that the principle of this bill should be recognized by parliament.

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It would, indeed, be most unfortunate, if the great aristocracy—if the hereditary counsellors of the king were to refuse to make this recognition. That misfortune would be much encreased, if those illustrious personages, to whose splendour the House of Commons had lately contributed so largely, should take part against a measure not directed against the prerogative of the crown, but, simply, having in view the methodising—the regulating, and, if possible, the diminution of the public expenditure. It had been supposed, that, because the bill had not much intrinsic importance attached to it, the public was but little interested in its fate. The contrary was the case. This circumstance rendered the rejection of it more odious, as it shewed that it was the principle which was rejected. We had witnessed prodigious revolutions in the state of empires; and these awful changes had been uniformly preceded by a strong desire in the people for reformation and retrenchment; and by a stubborn, proud, obstinate, resolution, in the princes and nobles of the land, to resist that desire. If any one line of conduct was more favourable than another, to the views of those who were the advocates of revolution, it was precisely that which had lately been adopted by the upper house of parliament. Adverting then to the objections to the bill, which had so suddenly flashed upon the mind of Mr Perceval, he observed, that this circumstance suggested to his mind very serious reflections on the nature of the influence under which that Right Honourable Gentleman and his coadjutors acted—an influence as destructive to their own dignity, as it was to the interests of the people. They were ministers, and no ministers; they were subject to be thwarted by a secret, but irresponsible, power. They had the title, without having the privileges of office. He professed a respect for the abilities of some of them, and was surprised how those to whom he alluded, (looking at Mr Canning,) could possibly so far demean themselves, as to submit so completely to this influence. Among the many strong objections to them as a body, there was this serious one, that they had contributed, in an almost unprecedented degree, to the increase of the power of the secret faction; and they now reaped the fruits of their conduct in the degradation of their office.

It was rightly asserted by the advocates of the bill, that, whatever might be its intrinsic importance, the public took a lively interest in its success. The city of London presented a petition, which was unanimously voted in the court of Common Council, praying the House of Commons not to relax in their endeavours in carrying so necessary and beneficial a measure into effect, suggesting the serious consequences likely to result, should a disposition be evinced by either branch of the legislature, at a period so awful and momentous, not to participate with the people in their sacrifices and privations; and saying, there was but too much reason to apprehend that the reform of these abuses had been defeated by that baleful and predominating influence, which such abuses must necessarily create. In the subsequent debate, Mr Bankes proposed such alterations in the bill as might enable it to pass the Lords. The period of two years, to which they had designed to limit it, was, in his opinion, he

April 7.

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said, too short; if he were to introduce a longer, he feared it would prove fatal to the bill, and it had been suggested to him, that that period itself would be the most offensive that could be introduced, because it was exactly that which the Lords themselves had rejected. He intended, therefore, that the blank should be filled up with a provision, that the bill should be in force for one year, from the passing of the act, and, from the close of that period, to the end of six weeks, from the commencement of the subsequent session of parliament. This would secure the remaining part of the present session, the whole of the next, and six weeks of the session following. Some objection had been taken on the ground, that the reasons for the bill had not been stated in the preamble,---he would insert, therefore, that the measure was connected with something at present pending in the House of Commons.

Mr Fuller, with his usual oddity, said, he considered the measure as a tub thrown to the whale, and left by his Majesty's ministers to float its own way,---the late ministers managed their tubs better. For his part, he thought the bill of no use, but he respected the people, and thought they ought to be gratified as much as possible, even in their follies. Mr Perceval's opinion was much the same as Mr Fuller's, though he expressed it after a different manner. So far, he said, as it was represented to the public, that any great diminution of its burdens could be effected by these means---the promise was delusive; but, as for the power of the crown, it would ultimately be increased, rather than diminished, by the measure. He, therefore, saw neither the benefits which were expected, nor the danger which had been fancied. But he was very desirous that the bill should pass, because a great portion of the public looked upon it as essential in a high degree; and he thought so general a feeling ought to be gratified, when no mischief could result therefrom. He should forbear from pressing the amendments which he had formerly suggested, because the form in which the bill was now brought in obviated all objections.

Lord Porchester spoke warmly upon the subject, reminding the house, that they possessed the means of enforcing attention to their measures, or, at least, if they did not, their ancestors had possessed them. Mr Tierney spoke of the Junta behind the throne, who had never till now come forth and arrayed themselves against his Majesty's ministers,---he had been told this language had been used to them —they know who made them ministers, and the same power might unmake them. Mr Whitbread thought the wisest and most dignified course for that house to take, was to persevere in sending the bill back to the Lords in its old shape; and, in answer to the remark, that it would produce little relief to the public, he rightly observed, that there were burdens of feeling as well as of taxation; and, to the feelings of the people, it would certainly prove no small alleviation. But the direct calculable, tangible good effects of such a bill were shown by Sir John Newport, who produced a list of offices held in reversion in Ireland. In the Custom-house department, there were nine offices held in reversion, to each of which a salary of 300l. a year was annexed. It was not the amount of the salaries which formed the most objectionable part of the arrangement;—the serious evil was, that they

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presented an insurmountable obstacle to reform in that department. The office of Storekeeper of the port of Dublin was now held for two lives, (the two Beresfords,) to which was annexed a salary of 2,135l. which might be spared to the public, after paying a deputy for performing all the duties of the office:—And here also the loss was not confined to the salary paid; but the existence of the office itself rendered it impossible to reform the present system of storages, from which the public was sufferer to more than six times the amount of the salary. It would, he said, be quite endless to go through the list, and, therefore, he should merely mention a few more by way of specimen. The office of Craner and Wharfinger of the port of Dublin, all the duties of which were performed by a deputy for 300*l.* was held by two brothers of a noble Marquis, with the reversion to Lord H. S. Conway, with a salary of nearly 1000*l.* a year. The office of Comptroller of the port of Cork was held by Sir J. Lees, with the reversion to his two sons, with a salary of 800*l.* a year, after paying a deputy for discharging the duty. The office of Taster of Wines, which had been dropped for two centuries, was renewed in favour of the Right Hon. J. Beresford, with a salary of 1000*l.* a year. If he were to go into the law department, there he could find places, not merely of 8 or 900*l.* but of 9, 10, or 12,000*l.* a year.

Such a statement was unanswerable. It was said, by Mr Wilberforce, that it was the duty of that house, not to leave any blots, to which the finger of public scorn might be pointed, because they produced an effect upon the minds of the people beyond their real worth. But Mr Wilberforce did not do justice to the people of England, if he supposed that the interest which they felt and expressed for the fate of this bill was wholly on account of the possible amount of retrenchments. In calculating that amount, they might possibly be mistaken; but the public feeling could not be mistaken, which reprobated, as it were with one heart and voice, the unblushing indecency of opposing a measure of reform so utterly unexceptionable. Mr Tierney asked, whether the bill, in its present form, would have the full and cordial support of his Majesty's ministers? No answer was given;—except upon the disgraceful question of Dr Duigenan's appointment, those ministers never appeared in so humiliating a situation. It was said of them, by those who objected to their administration, chiefly for the tenure upon which it was held, that they were not merely the King's servants, but his absolute menials.—So entirely indeed did they hold their places by the favour of the crown, and so conscious were they that they held it by this tenure, and this alone, that, upon an occasion, when they might have acquired so much popularity for themselves and for the executive government, by zealously promoting so easy a reform, they were compelled to trim between the crown and the people, apologizing to both for not following the wishes of either; being, as Sir Francis Burdett said, neither for it nor against it, saying to the court, we are not against it, because it will do you no harm,—and to the nation, we are not for it, because it will do you no good.

The principle of modifying the bill, so as to meet the Lords half way, was strongly insisted upon by Mr Wilberforce; if for no other motive, than the impolicy of holding

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out one branch of the legislature to public odium. Such a line of conduct, he insisted, would be much more creditable to the house, than pursuing the barren honour of merely preserving its own consistency. Mr Whitbread, however, declared, that he would move for such alterations in the bill as should restore it precisely to its former state. This, the Speaker informed him, was contrary to the course of parliamentary proceeding. He would then propose, he said, to render it literally different, though substantially the same. This also he was told would be irregular. Upon this, he said, he should probably move to extend the limitation to ninety-nine years. This intention he was induced to abandon when the bill came to its third reading. The compromise which Mr Bankes had submitted to was, however, warmly opposed; and Lord Porchester moved, that the word *prohibit* should be restored in the preamble, instead of *suspend*. Mr Tierney supported this amendment. It was his opinion, he said, that the House of Commons should continue to express their sentiments boldly, manfully, and constitutionally, going hand in hand with the wishes of the country; and, if this mode of proceeding should be found to fail, that an humble address should be presented to the throne. If the prerogative of the reigning King was even to be in some degree prevented from anticipating the resources of the royal estate, it was to be recollected that the legislature owed a duty to the successor, that they should see the estate was not mortgaged. Rather than that any compromise should take place, he wished it, for the honour of that house, to stand upon their journals, that they were consistent in their recognition of this principle of economy. If the bill should afterwards be lost elsewhere, the public would then have an opportunity of judging which branch of the legislature was best entitled to their confidence. Not only the amendment, but the principle of the bill itself, was contemptuously opposed by Sir James Pulteney, Mr Fuller, and Mr Stephens, who, in a more vehement speech than any upon the subject, maintained, that, in these times of uncommon difficulty, the King's prerogative ought to be strengthened, instead of curtailed, that his Majesty might meet the common danger with increased energy.

April 11.

This produced an answer from Sir Francis Burdett, wherein he displayed that ability, which his opponents cannot but feel, though they will not confess, and that intemperance, which, by continually supplying censure with fresh materials, and giving indeed too good reason for alarm and disgust to the best disposed, lessens the effect which his talents and undaunted spirit might produce, were they but more wisely directed. "What," said he, was it any want of prerogative that made Austria, Prussia, Russia, and all the despots of Europe fall at the feet of France? Or was it the want of their subjects' hearts that deprived them of energy and support; that left them in the hour of danger, abandoned and forlorn? This should teach princes and states, that those who had been accustomed to 'crook the pregnant hinges of the knee' before one master, could as easily perform the same baseness before another; a consideration which might put them out of love with flattery and fawning; and teach them that despotism was not less impotent than

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cruel, not more to be hated than despised. He had learnt, from Sir H. Finch, the high prerogative lawyer, in the high prerogative times, of that high prerogative king, Charles I., who lost his head for his prerogative, that, though the prerogative extended, as they said, to every thing, yet it could not extend to abuse, because, being in its nature for the benefit, it could not be exerted to the injury of the public. Why then, the question was, were those reversionary places for the benefit or injury of the public? But they were pointed out as a grievous injury and abuse by the committee of this house. This house had adopted that principle, framed a bill acknowledging it, and abolishing it; we were now to be told it was unpalatable to the Lords, and that we must yield it to their prejudices: but it concerned too deeply the honour and character of the Commons; which he would not consent to yield to the prejudice, or the pride, or the corruption, of the Lords, against which he would oppose the privileges of the Commons. Nor would he consent, that the Commons, in a measure, no matter how small, of economy, of saving the people's pockets, of controlling public expenditure, should bate an inch of privilege, much less sacrifice the principle, which, in fact, was the whole of this bill. The honourable gentleman who brought forward this bill, now proposed to be rendered totally worthless, by a compromise with ministers, (and for whom he certainly entertained a better opinion than he had been pleased to profess he entertained for him,) recalled to his mind, upon this occasion, Bottom the weaver, who, playing the part of Lion in a pageant, before the court, and being excessively apprehensive lest he should cause any alarm, when he makes his appearance in his lion's hide, pops his head through a hole in the neck, and says, 'don't be alarmed, for I who act Lion am not Lion, but Bottom the weaver; don't be frightened, and if you were frighted, 'twere pity o' my life, I'll roar ye as gently as any sucking dove.' He perfectly agreed with ministers as to the inadequacy of the measure—the smallness of the boon; but, it was a commencement of reform, it acknowledged the principle—the necessity; and, therefore, he should vote for it.—But, it seemed, that ministers objected to a measure so inadequate, so paltry, not worth the people's acceptance. They had better stomachs for reform—they wanted something more substantial. He supposed they wished for some independent country member, to get up and propose, that the ancient undoubted right of the people to annual parliaments, chosen by themselves, should be restored—or that no person bribed, or who should be bribed by a place or pension, should have a seat in the Common's house—that the good old laws of the land, Magna Charta, Bill of Rights, and Act of Settlement, should be restored, by repealing all those unconstitutional acts which had nearly annihilated them; or some other proposition worthy to be entertained by an English House of Commons.—He could not sit down without expressing his astonishment at the quarter from whence the opposition, to this very moderate measure, came,—from those who, for doing nothing, had received, and were receiving, large sums of public money, who ought to have been the very last to oppose it, or rather, who ought to have been amongst its most chearful patrons and promoters—even though actuated by no other

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motive than that which guided every prudent tradesman, and made him consider present security, as well as future gain. He would, and with no unfriendly voice, call upon those persons to consider, whether, by their opposition to this bill of Reversion, they might not produce bills of Resumption; whether they might not, by opposing this small commencement of reform, cause themselves speedily to hear sounds the most unpleasant, he should suppose, to their ears—for he would have them recollect, that it was not the first time, in the history of this country, that the necessity of the times, and the indignation of the public, had echoed through the land, resume and refund.

Such a speech called up Mr Windham, who is in nothing so consistent as in his hatred or horror of reform. He too, as Lord Redesdale had done, talked of the example of reformation in France; and said, that as for the corruption of which the higher orders were accused, it existed equally in the lower, for that the tree struck its roots as deep into the earth, as it elevated its branches into the air. Mr Sheridan replied, the drippings from the top of the tree were the real cause of the blighting the branches, and the corruption of the root; and when root, branches, and all were corrupted, what fruit was to be expected?* Sixty members were found to vote for Lord Porchester's amendment against 112; a proof how strongly any measures of temperate reform will be supported in the House of Commons. The bill was then ordered to the Lords. The former arguments were repeated against it. Earl Moira said, that it was incumbent upon the friends of a measure, which infringed upon a prerogative of 300 years standing, to shew that abuse existed in the exercise of that prerogative; but nothing of this nature had been shown, nor was there any evidence before them that such a measure could be of the slightest utility. It is extraordinary that he should have made such an assertion, after the statement which had been made by Sir John Newport. Lord Holland observed, there could be no occasion to answer the opponents of the bill—for they answered one another. The one says the bill would destroy the constitution, the other, that it was a measure of no consequence. He regretted the compromise which seemed to have been made, but still regarded the bill as a great and splendid triumph over that secret influence which, for forty years, had been lurking behind the throne. Accordingly the bill past. It is observable, that, throughout the whole of these discussions, the Grenville party took no part.

May 10.

The friends of the bill did not overrate its importance;—it gives a check to the shamelessness of political rapacity, and acknowledges a principle which it will not be easy to set aside. Nor is the mutilation of the bill of any other consequence, than that it gives a melancholy indication

* It is dangerous to reason in metaphors:—even if this illustration did not unavoidably remind the public of the text of scripture about the axe, it would, at least, prove the necessity of Mr Forsyth's pruning-knife.—The root of the tree, however, is yet sound, and so is its heart of oak. But Mr Sheridan could not let pass a fair an opportunity of attacking Mr Windham.

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of the dispositions of those from whom it proceeded; for, pledged as the Commons are to its principle, they will undoubtedly renew it, from time to time, till its opponents become sensible of the folly, as well as indecency, of opposing it longer, and suffer it to be made permanent.—An inferior subject of reform, but founded upon the same ground of decorum, was brought forward by Sir C. Pole. It was, to carry into effect both the spirit and letter of the Charter of Greenwich Hospital; which required, that all the officers of the hospital should be persons who had served in the navy, and had lost limbs, or been disabled in the service. He moved for leave to bring in a bill to enforce this; and to require persons, holding such offices, to give up their half-pay. The bill was to extend to the Naval Asylum, but it was intended to exempt, from its operation, all persons holding offices at present. He was induced to confine his motion to Greenwich Hospital, by Mr Ponsonby's advice, in consequence of a remark from Mr Lockhart, that the Naval Asylum had been instituted by public-spirited persons, who had subscribed 50,000*l.* towards its establishment, and they ought not to be deprived of their influence upon it. Mr Rose objected that no case was made out. There were, he said, various offices, such as that of Organist, Surveyor, and Architect, which persons of naval education would not be competent to fill; and the office of Auditor required a person competently skilled in the law. To this Mr Whitbread replied, that Mr Rose himself was a proof that a naval education did not render men unfit for such situations. Many disabled persons might be found in the navy, who were sufficiently versed in music to play the organ at Greenwich. At any rate, they were able to hold sinecure offices, such as that of Mr Henry Clew, a Swiss, barber to the Hospital, who employed six deputies, and derived an income of 150*l.* a year from his place, without having any duty to perform, except that of superintending the shaving of the pensioners.

March 8.

Mr Perceval said, he did not think the House could agree to the motion without having the charter of the hospital before it; and indeed there was no necessity for an act of parliament upon the subject, it being as much the duty of the trustees now to correct any abuses, as it would be if an act were passed for the purpose. The Hon. Baronet himself had been in a situation to correct those abuses, when he was a Lord of the Admiralty; and if he had not done so, it was not matter of blame, inasmuch as he had followed the course pursued by his predecessors. Against this, Sir John Newport contended, that many of the trustees would be glad to be protected against the importunity of their friends, by the provisions of an act of parliament. The motion was negatived for the present.—Sir C. Pole shortly afterwards resumed it, citing all the commissions relating to the hospital, to show that a preference ought always to be given to naval men; and he moved an address to his Majesty, praying "that he would be pleased to give directions that all the appointments should henceforth be filled by persons who had served in the navy." Mr Perceval proposed to except a few offices, such as auditor, clerk of the works, organist, brewer, &c.; and agreed that no other appointment should be filled otherwise

March 22.

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than from the navy, except when, after a month's notice in the newspapers, no naval person should present himself with proper qualifications. Sir C. Pole assented to this, and the address was voted.

April 11. Having effected this reform, he attempted the like at the Naval Asylum. "He knew it would be objected to him," he said, "that this charitable institution had been originally supported by private voluntary donations; but parliament had been called upon to vote considerable sums for its support, and it appeared to him now to be under the immediate management of government. A very large portion of what was called private contribution was given from the Patriotic Fund, a fund avowedly for the purpose of relieving the distresses of the relations of those who fell in the naval battles of their country. That fund had subscribed 40,000 *l.*; and surely it never could be supposed that other persons subscribing small sums could mean that their donations should be bestowed upon individuals who were no more connected with the navy than the Great Mogul. The House had been told that the office of auditor of Greenwich must be filled by a lawyer, because that hospital possessed great estates,—but what law-business could there be to transact for the Naval Asylum? It was not, however, a lawyer who had been appointed there, but a wealthy clergyman, who, for doing little or nothing, was to enjoy, in addition to other incomes, 300 *l.* a-year as auditor; besides which he was to possess a free house and garden; and, he believed, not less than 1700 *l.* had been laid out in repairing the house for his residence;—and, added to all this, he was even to have furniture for it. Now, surely the duties of this office might be performed by some poor worn-out or disabled naval or marine officer at a salary of 100 *l.* a-year; instead of which no less than 700 *l.* was thus squandered upon a clergyman, who already possessed four church-livings in Ireland, and a glebe-land so extensive as to contain 540 Irish acres; who was secretary of the Library of the Prince of Wales, and to whom the House had lately granted the sum of 556 *l.* for his trouble in enforcing the residence of the clergy, while he himself intended to establish his residence at the Naval Asylum. Another thing which he should object to was the appointment of a surgeon, who had never been at sea during his life, and had been induced by a great salary to give up his private practice;—whereas a naval surgeon would have been less expensive, and more thankful for the favour bestowed upon him. There were other objectionable appointments; these, however, were what he should chiefly insist upon. He moved, therefore, a resolution, that the appointment of qualified persons from the naval and marine service to this Asylum, would materially encourage the naval service, and diminish the public expenditure; and he proposed to follow up this resolution with an address to his Majesty."

Mr Rose, Mr Lockhart, and Mr Perceval, defended the appointment of Dr Clarke, because he first suggested the plan of the institution, and his continuance in the situation, which he held from the beginning, was at the special and stipulated recommendation of the private subscribers, who had contributed 40,000 *l.* to the undertaking. "It would be a little hard," they said, "if he, who

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was one of the first founders, should be himself precluded from all its advantages. Nor was the employment so easy as the Hon. Admiral stated. He had not only the disbursements of the charity to audit, but the accounts of the officers in every department; he had to prepare the estimates, to manage the contracts, and to examine the accounts of all the builders and other tradesmen employed."——Mr Whitbread, Mr Biddulph, and Mr Windham, replied to this defence, stigmatising the appointment as a gross job; and Sir Charles Pole observed, that as for the duties of the office, a purser was full as competent to discharge them as a doctor of divinity. His motion was negatived.—He renewed the subject when an additional grant was moved in the Committee of Supply for carrying on the buildings of the Asylum. Sir Charles objected to this, because the trustees had in their hands a sum of 50,000 *l.* no account of which was laid before the House; and he renewed his objections to the improper appointments which had been made there, and the waste of money upon the auditor's house, extensive gardens, and offices.—Mr Rose replied, that 50,000 *l.* was given by private persons expressly on the condition of providing for such children of seamen as they should recommend; it could not therefore be applied to the quite different purpose of carrying on a building now adopted by his Majesty, and sanctioned by parliament. There was a school at Greenwich Hospital, instituted for the sons of naval officers, to the number of 200; it was now full, but the officers' children were only 73, the rest were the sons of common seamen; and, for want of room, the son of an admiral was now obliged to sleep in the same bed with one of these boys. It was designed to remove to the Asylum all the children of common sailors, so as to leave the school free for its original purpose; and yet to this intention Sir Charles Pole was, in effect, offering every opposition in his power.—Sir Charles still insisted upon the violation of principle; if "it were not stopped in the outset," he said, "he should expect shortly to see the governorship conferred upon some German captain of cavalry, and the minor situations filled by Hanoverian subalterns or serjeants." His zeal against the abuse became him,—but it did not bear upon the grant in question; and 35,000 *l.* was voted for the Asylum.

Under the head of existing abuses, the system of Army-Clothing must be classed, a subject which was brought before the House by Colonel Wardle. This gentleman has since performed so conspicuous a part in the great political drama, that his previous conduct in parliament becomes on that account a subject of some curiosity. At an early part of the session, he had asked the ministers, whether they intended to take any measures for reforming the abuses in the medical department of the army, which had been pointed out by the Commissioners of Military Enquiry? It appeared from Mr Perceval's reply, that nothing had yet been determined on. Colonel Wardle did not, however, pursue the subject. "The object of his present motion," he said, "was to save a useless expenditure, by substituting public in the place of private contract, notwithstanding the avowed encouragement which, he

April 27.

June 23.

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averred, the system of private contract received from the Duke of York and the Secretary at War. In 1803, Government contracted that the army should be supplied with great-coats at the rate of 16*s.* 6*d.* per coat, stipulating that the price should be reduced in proportion to the reduction in the then price of kersey. The price of kersey had from that time fallen gradually from 4*s.* 6*d.* to 3*s.* 6*d.* per yard; but the charge per coat had not been at all abated till February last. At the lowest estimate there had been a loss of 23,000*l.* in three years, because the stipulation was not enforced. Nor would the price have been reduced at last, had it not been for the offers of the majority of the clothiers to supply the cloathing cheaper,---offers which had been repeatedly made and rejected. In June 1806, the firm of Messrs. Scott and Co. offered to supply great coats at 14*s.* 9*d.* per coat. To this proposal they never received an answer. At this part of Col. Wardle's statement, a cry of hear! hear! was set up from the ministerial benches, because at the time mentioned their opponents were in power. He noticed the eagerness with which they listened to any charge that affected their prédecessors, and said that he had nothing to do with party-motives, friend or foe would be indifferent to him in the discharge of his duty.—"Had this offer," he pursued, "of Messrs. Scott and Co. been accepted, there would have been a saving of 21,875*l.*;—and, to show the folly of rejecting it, that very house obtained a part of the contract made with Pierce, and actually received 16*s.* 6*d.* per coat for what they had offered to provide at 14*s.* 9*d.* In Feb. 1808, kersey being then as low as 3*s.* 6*d.* per yard, they offered to supply the coats at 12*s.*;—any house in London would have contracted at that price. Such repeated offers made the old contractors reduce their prices to 14*s.* instead of 12*s.*; and Scott's house again obtaining a share from them, received from Government 14*s.* when it would gladly have contracted for 12*s.* Nay," Colonel Wardle said he "could prove, and was ready to prove, at the bar of the House, that, when the original contract for 16*s.* 6*d.* was made by Government, Pierce the contractor went immediately to a man of the name of Dickson, and bargained with him to supply them at 13*s.* 6*d.* or 14*s.* Such were the effects of the system of private contract; and, to do justice to the Lords at the head of the Treasury, they had endeavoured to establish a system of fair and open contract in its stead; but, when they issued instructions to that effect, the Secretary at War thought proper to communicate with the Duke of York upon the subject, and in consequence a letter was addressed to him, signed Harry Calvert, Adjutant-General of the Forces, wherein the writer, in the name of his Royal Highness the Commander in Chief, disapproved of any change in the mode of cloathing the army. If," said Colonel Wardle, "such applications were made to the Commander in Chief, merely because he was the son of our gracious Sovereign, such a principle of false deference could not be too early corrected; if, on the other hand, it was owing to a superior authority vested in his Royal Highness, it would be right to ascertain whether the orders of the Lords of the Treasury should be thus waived or disputed.—Having thus established his point," he said, "and proved the abuse which ex-

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ited in this single instance, he would say something about the army-cloathing in general. There was no doubt, that, by a fair open system of contract, a saving of from 1 to 200,000*l.* might annually be made; this, too, independent of the whimsical and absurd dresses used in many regiments, which seemed calculated for no other purpose than to excite amusement, if not ridicule, in the public." This he explained, by entering into a detail of the various articles upon which retrenchment ought to be made; taking the estimate as little in favour of his own argument as possible, for, he added, "that, in the opinion of those who had been in the service of army agents, the retrenchment would amount to 400,000 *l.*"—Upon these grounds, he moved some resolutions, expressing the opinion of that House against the system of private contract, and also for the formation of a Committee to take the subject into consideration, and allow an equivalent to the colonels for the emoluments which they have hitherto enjoyed from cloathing their regiments.

The Secretary at War, Sir James Pulteney, replied, "that the soldier's great coat was to last him three years,—it was frequently his only covering; and it was therefore highly necessary that it should not be of an inferior quality: That, as far as he understood, the contract price in 1803 had not been fixed without due deliberation; and that he was informed by persons well acquainted with the woollen trade, that the price of kersey had remained stationary from that time."—Col. Wardle was ready with his documents to disprove this; and the former part of the argument was ably exposed by Mr Whitbread. "If," said that gentleman, "a more comfortable great coat could be furnished to the soldier for 16*s.* 6*d.* than for 14*s.* it was proper he should have it; but the fact was, that the coat was precisely the same, and the only difference was in what the nation paid for it. On the principle of comfort, indeed, a principle which he could willingly see applied, great alteration must take place in the dress of the soldiers, some of whom were so dressed as to be the ridicule of every person who passed by;—some of the cavalry were seen with immense muffs, caps, or hats, which, whether the weather was cold or hot, wet or dry, must be equally inconvenient; others had immense things hanging over their arms, under which they seemed about to sink;—and whiskers, too, it must needs be supposed, were worn for comfort: it was, however, rather extraordinary that we should encourage the growth of them in England, and occasion mutiny in India by having them shaved off."--General Stuart replied, that it did not signify how soldiers were dressed, provided they were well-disciplined; nor did he see that the present fashions were more absurd than the long tails and huge cocked hats of the cavalry in former times. Several regiments were equipped by order of the Commander in Chief, in imitation of some German cavalry;—the dress was considered as well adapted for horsemen employed at outposts, and the saddles they used were particularly useful in such service. A general laugh was excited, when Mr Whitbread, upon hearing this, congratulated the Church on the vigilance of the two Archbishops, who, he supposed, were a few days ago visiting its outposts, as he had discovered them mounted on hussar saddles.

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The sudden and capricious change of regimentals was mentioned by Mr Fuller as a vexatious grievance, the expence of which had compelled many officers to quit their regiments. This member complained of the scantiness of the soldiers' cloathing, declaring he had seen instances in which a certain part of their dress had been made so tight, that, upon the contraction occasioned by a shower, it burst. *——No answer was attempted to Colonel Wardle's statements, nor any principle advanced in reply;—in fact what possible reason could be given for preferring private to public contract? It was only asserted, that a reference to military men, and especially to the Commander, was indispensable on such subjects; and that the colonels, (if a fair compensation were made to them,) would rejoice to have the trouble of cloathing their men taken off their hands; but that such an alteration could produce no benefit to the army, nor any saving to the nation. By such gratuitous and irrelevant assertions, the resolution was opposed;—and Colonel Wardle, having probably done all he expected to do, by laying the case before the people, withdrew his motion.

This was a sample of that shameless spirit of jobbing, of which every fresh enquiry into every department of the public service brings some fresh instance to light. In these things the demagogue writers and haranguers of the day never fail to find topics for invective; and the difficulties which interested individuals oppose to every attempt at reform, are so great, and oftentimes so successful, as to bring Government itself into discredit. Yet this very circumstance might be turned to the advantage of Government, did we but possess a ministry strong enough in themselves, and in the support of the country, to follow up these enquiries, whithersoever they might lead, and put a stop to the system of plunder which is so extensively carried on. The exhibition of one convicted peculator in the pillory would disarm sedition of its most formidable weapon; nor is there any means of acquiring the confidence of the people so certainly, as by convincing them that their stewards dispense the public money with as much care as they collect it. Whether it might be wisely expended, is what few, perhaps, could judge; but all would be satisfied, if they perceived that economy in its expenditure, which they would exact themselves in the management of their own concerns. If all contracts were fairly and openly made; and if, when complaint is laid, it were instantly and rigorously investigated, without any regard to the influence or interest of the criminated persons, the Ministry by which such a reform should be accomplished, would acquire such a tenure in the public opinion, that

* A worse consequence arising from this mode of peculation was mentioned shortly afterwards in the General Orders,—authority not to be doubted. "It appeared some time back, it is there stated, on an inspection being made of the cloathing of the militia, that the coats of many regiments were so tight, particularly in the sleeves, as not to admit of the waistcoat being worn, which was supposed to be the cause of the sickness which prevailed at the close of the last winter and the early part of the spring. The colonels must be cautioned with respect to the ensuing cloathing, and the general officers will be careful to see that the men have on the proper waistcoat with sleeves." It is the sleeved waistcoat that must be meant.

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nothing could be powerful enough to dispossess them. These things are of consequence, not so much for the diminution of expence which would be obtained, as for their effect upon the feelings and morals of the people.

A subject more directly connected with the morals of the populace was brought before parliament by Mr Scroop Bernard. He moved for a Committee to enquire how far the evils attending lotteries had been remedied by the existing laws, and to suggest such farther measures as might be deemed expedient. In making this motion, he expressed an opinion, that lotteries were public nuisances altogether, and ought to be discontinued. Mr Perceval assented to the appointment of the Committee, but observed, that the public gained annually to the amount of 5 or 600,000 *l.* by the lottery, and he could not consent to any proposition for abolishing such a source of revenue, however he might wish to diminish the evils connected with it. The Committee presented two Reports before the close of the session. The first merely suggested alterations in the existing laws, recommending fresh restrictions, and hoping to palliate evils which it was not expedient to destroy. The second was of a different character. "The evidence into which they had entered had," they said, "convinced them that the lottery and illegal insurances are inseparable; that the former cannot exist without the latter for its support; that a system of connivance in those acts which the law prohibits pervades all ranks concerned, from the persons contracting with Government under the law, down to the meanest wretch employed in the violation of the law, and its most ordinary victim.—In truth, the foundation of the lottery is so radically vicious, that under no system of regulations which can be devised, will it be possible for parliament to adopt it as an efficient source of revenue, and at the same time divest it of all the evils and calamities of which it has hitherto proved so baneful a source.—A spirit of adventure must be excited amongst the community, in order that Government may derive from it a pecuniary resource. That spirit is to be checked at a certain given point, in order that no evils may attend it—the latter object has not hitherto been attained with all the pains which have been bestowed upon it, and its attainment appears to be impossible.—The ingenuity of persons interested in breaking the law, is always upon the watch for its new enactments, and has hitherto always baffled the sagacity of the legislature. Added to which, there can be no hope of greater purity amongst the persons employed to detect and bring offenders to punishment than has been hitherto experienced, or than now exists. The statute book is burthened with regulations entirely repugnant to the spirit of the constitution, rigorous and oppressive in the extreme, which, if they are ever executed, fall only upon the ignorant and destitute, whilst the wealthy and more profligate hold them in utter contempt: and this unseemly state of things is allowed to continue, in order that the state may derive a certain annual sum from the partial encouragement of a vice, which it is the object of the law, in all other cases, and at all other times, most diligently to repress.—In the meantime, by the effects of the lottery,

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even under its present restrictions, idleness, dissipation and poverty are increased, the most sacred and confidential trusts are betrayed, domestic comfort is destroyed, madness often created, crimes, subjecting the perpetrators of them to the punishment of death, are committed, and even suicide itself is produced, as will fully appear by the evidence submitted to the House. Such have been the constant and fatal attendants upon State Lotteries, and such there is reason to fear will be their invariable attendants so long as they are suffered, under whatever checks or regulations, to exist.—The question naturally occurs, whether any pecuniary advantage, however large or convenient, can compensate to a state for the amount of vice and misery thus necessarily produced in levying it. But the pecuniary advantage is much greater in appearance than in reality. When we take into consideration the increase of poor's rates arising from the number of families driven, by speculations in the lottery, to seek parochial relief, the diminished consumption of exciseable articles during the drawing, and other circumstances deducible from the evidence, they may well be considered to operate as a large deduction from the gross sums paid into the Exchequer by the contractors. On the other hand, the sum raised upon the people is much greater in proportion to the amount received by the State, than in any other branch of revenue.—No mode of raising money appears so burthensome, so pernicious, and so unproductive; no species of adventure is known, where the chances are so great against the adventurer; none where the infatuation is more powerful, lasting, and destructive. In the lower classes of society, the persons engaged, whether successful or unfortunate, are, generally speaking, either immediately or ultimately tempted to their ruin; and there is scarcely any condition of life so destitute and abandoned, that its distresses have not been aggravated by this allurement to gaming, held forth by the state."

Whether the Curate's Residence Bill can properly be classed under the head of measures of reform, may be doubted, such widely different opinions of its tendency were held. The purport of this bill was, that in all parishes wherein the incumbents did not reside, and where the living amounted to 400*l.* and upwards, a fifth part of the income should be assigned to the curate; provided it did not exceed 250*l.* a-year, a discretionary power of apportionment being vested in the bishop. It was a favourite measure of Mr Perceval's. Mr M. A. Taylor supported it, saying, "he should be glad of a provision which would secure even the residence of curates; for the great object of many pluralists was to get the duty done as cheaply as possible. The Clergy Residence Act had in great measure failed from the facility of obtaining licenses. He knew a clergyman, who, having two livings in different parts of the country, procured an exemption, excusing him from residing at either, because the air of one did not agree with him, and the air of the other did not agree with his wife." It was supported also by Mr Babington, Mr C. W. Williams Wynn, Mr Burton, Mr Lushington, Mr W. Smith, Mr Wilberforce, Mr Tyrrwhit Jones, and Mr

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Hawkins Browne. They *June* 8. argued, that residence was the duty of the rector; if he accepted a second benefice, it could not be a hardship upon him to make a proper allowance to the curate who discharged the duty in the parish where he did not reside; and it was due to the parish that the officiating clergyman should have a sufficient provision to enable him to live as a gentleman. The proposed measure was no invasion of church property: the property of the church was in fact that of the people, and certain relative duties were expected to be performed by the clergy, to qualify them for their possession. In the eye of the law there was another party with respect to church property, besides the impropriator and the curate, and this was the people of the parish, who had an indisputable right to their services. "Many members," said Mr Wilberforce, "are zealous in their efforts to place the Catholic religion on a respectable footing; he hoped they would not entirely slight that which they themselves professed, but would evince that the well-being of the Church of England was not indifferent to them."

On the other hand, Lord Porchester reprobated the *April* 12. monstrous and unconstitutional power which, by this bill, was given to the bishops over the rectors in their respective dioceses;——"a power," he said, "which subjected the property of every rector to be invaded and mulcted at the pleasure of the bishop. He feared that Mr Perceval, in bringing forward such a measure, was the organ of a secret influence behind the altar, as formidable and as designing as that which was now ascertained to lurk behind the throne. Its object was to introduce into the church establishment a system of vigorous puritanism, the unfailing source of bigotry and persecution. Neither would the bill afford any relief to the great *May* 10. body of curates themselves; for its object was not to augment the income of those who were most in want, but to raise the value of a few curacies, while the greater number of those who entered holy orders were left precisely as before. The causes of their poverty were, first, the poverty of the benefices themselves; and, secondly, the great number who pressed into orders without the prospect of any provision, except a trifling and precarious curacy." Mr Windham argued, that the bill was injudicious, pernicious in its principle, and inefficient as to any good practical purpose. "Two opinions," he said, "were entertained concerning church property; the one, that it was inviolable like private property; the other, that it was a salary for a particular duty, and that the legislature might interfere with it and alter it with as little ceremony as the salaries of any public office. Neither of these opinions was just to its full extent. In his judgment it was inviolable, like private property; but the legislature had a right to interfere so far as to provide that the duties attached to it were performed. This bill interfered in a manner which was dangerous to the establishment, for it proceeded upon the assumption, that all those clergymen who were not employed in parish-duties were useless members of the church. But the law allowed pluralities; clergy-

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men, therefore, could not always reside on their livings; and to attach penalties to that which the law permitted was unjust. The bill seemed also to suppose that the number of curates was limited; but its effect would be by augmenting a few curacies, to tempt a greater number into orders, and thereby increase the distress which it pretended to alleviate. It was a bill to sow dissention and discontent rather than seed likely to produce good fruit;—it would set the curate against the rector, and the rector against the curate; it would undermine and weaken the Church of England, not strengthen it. If, indeed, the church did not see in this measure a speck which would spread into a cloud, and burst in tempests, it was more insensible to its situation than he supposed. The Church of England had more to fear from it than from the Pope and his full conclave, even in the zenith of their power: nor could he help admiring that Mr Wilberforce should be able to smell out the dangers of popery at five hundred miles distance, while he continued utterly insensible to all the dangers of fanaticism assailing the Church of England, under his very nose."

Mr Creevey argued with much intemperance on the same side. "To attack the vital principles of property in this way," he said, "was to imitate the worst acts of the worst period of the French revolution.—Why should this system of robbery be directed wholly against rectorial property? Why not, if it were necessary to increase the salaries of the lower clergy, increase them at the expence of the bishops, deans, and chapters? Who requested the bill? Cambridge was hostile to it; Oxford had petitioned against it,—so had the clergy of London;—and not one city or county had expressed a hope that it would be adopted. But Mr Perceval derived his support from the members of the Foreign Bible Society, the Society for the Suppression of Vice, and those dealers in missionaries, who had nearly overturned the power of Britain by their late conduct in India. And the bill was almost identified with the Bishop of London, who had of late given great cause of uneasiness to the true friends of the church, particularly by the gift of a benefice to a missionary of Bussora, who was a native of Poland, and whom it would even be necessary to qualify for his situation by a form of that House."—To this part of Mr Creevey's speech the Chancellor of the Exchequer replied, that if he alluded to the appointment of a learned man, who had been professor at Smyrna, that appointment was highly praiseworthy; it was to be considered as a retaining fee to enable the person in question to prosecute the enquiries into the Scriptures which he had commenced; and the Bishop of London had no other knowledge of him than his character for Eastern learning.—Mr Creevey's outrageous calumny of the missionaries in India, was also exposed by Mr W. Smith, who reprobated the base artifice of attributing evils to them which had been occasioned by the misconduct of others far higher in rank and station.

The speech of Sir Francis Burdett was not less objectionable. "It seemed," he said, "the supporters of this bill measured the respectability of the clergy by the quality of their clothes, or the hospitality of

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their household. Poverty had hitherto been the badge and honour of our religion; but opinions had changed, and it was now not only necessary that the clergy must be respectable, but that they must be rich also. In the Catholic church the regular and officiating clergy had all the influence over the lower orders of the community, which a similarity of life and equality of income must ever give them under any system of religious government; and no principle had done more for the security of that church. Among our own clergy, it was not the wealthy compeer of the squire who produced most effect upon the people; and increase of salary would not render them more respectable. He had more serious constitutional grounds of objection, in the undue influence given by this bill over so great a number of clerical freeholders. The true cause of the existing grievance was the culp ble conduct of the bishops in ordaining persons who were not proper for the profession, who were left without either livings or income, and the evils now complained of were the consequence. Had the bishops known the state of the establishment, and the number of their clergy, they could not have committed this error, and thus contributed to disgrace the character of the priesthood; and was it right to entrust them with more power, when they had thus abused that which they already possessed?—There was yet another objection: the bill went to overturn the whole system of church property;—a consideration which ought to have its due weight on the members of that House, especially as they themselves might shortly become sufferers by similar encroachments on the property of lay impropriators. It was therefore the duty of the gentlemen of England to show their disapprobation of such a dangerous innovation on this defenceless part of the community."—Sir Francis has seldom spoken with so little knowledge of any subject. Except in the concluding hint to the lay impropriators, and his remark concerning the effect of this bill at elections, the rest of his speech proceeds upon assumptions which are altogether erroneous.

The weight of argument was against the bill, more on account of its inefficiency than its principle. It passed the Commons, however, by a considerable majority. In the Lords the Bishop of London justified the principle of the measure. "The bishop," he said, "had a right to interfere with the living; to take it from the incumbent who neglected to perform his duty, and grant it to another:—this right of interference was clearly proved by the canons of the church, and by various conventions; and it had continued in unison with the ecclesiastical and statute law from the time of Edward III. down to the present hour. The evils which had arisen in the church on account of non-residence ought to be well considered. The chief functions of a clergyman did not consist in merely reading prayers and preaching on a Sunday. Residence among the parishioners, visiting them frequently, praying with and comforting the sick, instructing the ignorant, encouraging the virtuous, reproving the vicious, catechising the children, and superintending the schools instituted for their education, were duties which immediately belonged to the office, and more essentially promoted the cause of religion. To perform

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these duties, it was highly proper that the resident clergyman should possess that degree of property which would enable him to appear with respectability, and to relieve, upon particular occasions, the distresses of his indigent parishioners. This bill therefore, which was only to take from him who did nothing, a reasonable allowance for the curate who did the whole, was absolutely necessary for the welfare of the people, and the true interests of the Christian religion."

The bishop proceeded to represent the miserable state of the poor curates, a topic which was enlarged on by the Earl of Suffolk. Lords Lauderdale, Sidmouth, and Moira opposed the bill altogether. The Bishop of Rochester considered it as inadequate to do good, but certain to occasion mischief. "The curate and the rector," he said, "would be set at variance in the first instance, and then their superiors were to be involved in the contest by the power of appeal; so that from beginning to end there would be nothing but one scene of confusion, distrust, and jealousy. He certainly was as liberally disposed as any man towards the inferior classes of the clergy, but until some effectual plan should be introduced for affording them complete relief, he was not inclined to disturb the present order of things." The Bishops of Hereford and Carlisle, and the Lord Chancellor, opposed it upon the same grounds; and the Archbishop of Canterbury, though he perfectly approved the principle of the bill, thought its provisions of so vexatious a tendency, that he voted against it.—Accordingly, on the third reading, it was rejected without a division.—Lord Harrowby, who favoured the bill, observed, in the course of these debates, that the House was proceeding to legislate on a matter respecting which they had no adequate information before them; and, with a view to obtain it, he moved for an address to his Majesty, praying "that there should be laid before them an account of the number of livings under 150 *l.* a-year." The Primate expressed his readiness to co-operate with him upon this subject; Lord Hawkesbury also said, that every thing should be done to give effect to so laudable an intention; and the motion was agreed to.

June 30.

The measures of General Utility, that is to say, those of which every man, sooner or later, would feel the benefit, which were brought forward in this session, were only two. The first was a bill of Mr Fuller's to prevent the spreading of the Small-Pox.—"Under the modern system of practice," he said, "the patients were ordered to walk abroad, by which means the disease was communicated through whole districts. His object was to prevent any persons from opening houses for small-pox inoculation within less than three miles distance from any great town, village, or assemblage of dwelling-houses joined together: and to oblige all such persons to keep their patients within doors during the whole continuance of the disorder; and when any person shall have caught the infection in any such town, &c., to enable the parish-officers, at the parish expence, to remove such person to the distance of three miles; and, when any infected person shall appear abroad, to enforce his return within doors.—

May 30.

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The observance of this law he meant to enforce by fines, which should be applied to the relief of the persons who caught the disease by means of the party offending."—The bill was read a first and second time, ordered to be printed, and then left to stand over till the next session.—A bill upon this principle is certainly wanted, but it should go farther than Mr Fuller proposed, and extend to a general system of cutting off infectious disorders of every kind, upon their first appearance, the practicability of which has been so decisively proved by the Fever Institutions.

The other was a motion of Mr Rose's for the establishment of a Central Institution in London, whence the vaccine matter might be distributed all over the empire, to be superintended by a certain number of the Royal College of Physicians and of the Royal College of Surgeons, and by such persons under their directions as they shall think fit. The expences, he calculated, would not exceed 3000 *l.* a-year. Some opposition was made. Mr Davies Giddy said, it would be better to let this matter take its own course. To suppose that the small-pox could be exterminated by compulsion was a wild and extravagant idea, which ought not to be entertained by parliament for a moment. The people would, under such an impression, in the course of a few years, neglect to inoculate either for the one disease or the other, and then the contagion would break out with ten-fold severity.—Sir Thomas Turton thought these things would be better done by private institutions, receiving occasional assistance from government.—Sir Francis Burdett observed, that the discovery of vaccination had now assumed a very different complexion from that under which it was first introduced to the public. Then it was said to be a thing so simple, that any old woman might perform the operation; now it was described as so difficult that it ought to be entrusted to none but men of great professional skill and experience. There was some danger, therefore, that we might be fostering a very dangerous error. It was his opinion, that before any public measure for disseminating it were taken, a committee should be appointed to enquire farther into the efficacy of the discovery.—On the other hand, Lord Henry Petty contended, that, as the evidence was still incomplete, it was highly proper to persevere in the investigation, which could not be done so well in any other manner as by a general institution. Mr Wilberforce argued to the same effect, remarking also, that in foreign countries there was a firm and decided opinion as to the efficacy of vaccination, and that he did not think the instances of alleged failure were sufficient to shake our confidence in it. Mr Fuller said, that the small-pox was annihilated at Calcutta by vaccination, and a proper system of regulations; and he thought the same desirable end might be attained here. The children in the poor-houses ought to be vaccinated.—Mr Canning declared, that though he considered the discovery to be of the very greatest importance, he could not be induced to follow up the most favourable report of its infallibility, with any measures of a compulsory nature. No system

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of compulsion has ever been proposed, unless Mr Fuller's bill can be called compulsion; but that bill applies only to the small-pox inoculation the principle which all laws acknowledge, and which self-defence requires, of restricting any person from doing that which would endanger his neighbour.——A resolution was passed for an address to his Majesty, upon the propriety of forming such an institution as Mr Rose proposed.

Mr Palmer's Claims, which, to the disgrace of public faith, have so long remained undischarged, were again brought before parliament this year. The last Administration had consented to the appointment of a Select Committee to enquire into his petition, examine evidence, and report their opinion upon it; and this report was laid before the House.—It stated the following points as having been substantiated: That Mr Palmer, at his own risk and expence, undertook and executed a most useful plan for the reform and improvement of the posts of this country, notwithstanding the very great difficulties which were thrown in his way by a determined and continued opposition from the Post-Office; the most experienced officers in that department having declared the plan, previous to its execution, to be impracticable, and injurious to commerce and the revenue. That the original agreement made with Mr Pitt was, that Mr Palmer should have an appointment for life to superintend his plan, with an allowance of 2*l.* 10*s.* per cent. on the amount of the increase in the revenue. This was afterwards modified, for an increased postage having been proposed by Mr Palmer, in lieu of an intended tax on coals, which had been estimated at 90,090*l.*, that sum was added to the previous revenue of the Post-Office, being 150,000*l.*; and Mr Palmer's per centage was to be upon all above 240,000*l.*, he accepting a salary of 1500*l.* a-year, in lieu of his per centage on the 90,000*l.*; which was in fact 750*l.* less than the original agreement. That this salary, having thus been accepted as a commutation, was not to be considered as implying the discharge of official duties, and liable to be discontinued with a discontinuance of those duties, but with his per centage on the Post-Office revenue beyond 240,000*l.* as a fair and reasonable compensation for his invention, and his risk and trouble in carrying the plan into effect; and that the advantages from it are permanent to the public, but Mr Palmer's advantages terminate with his life.—The report farther observes, that if the appointment originally promised to Mr Palmer, and upon the faith of which he undertook the full execution of his plan, had been carried into effect, the causes which led to his suspension could not have occurred,—as he would then have been free from the controul, and independent of the Postmaster-General.—That, in all his arrangements, Mr Palmer appeared to have paid great attention to economy as well as improvement, and to have acted with strict integrity, having, at the outset of his arduous undertaking, procured the conveyance of mails at 20,000*l.* a-year less than he proposed, and than Government contracted for. And it was worthy of observation, that in the four years only subsequent to his leaving the office, the excess in the expenditure

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amounted to upwards of 145,000 *l.* beyond that of the four years previous to his suspension, and during his management. That, under these circumstances, Mr Palmer has a claim to the continuance of the salary and the per centage, such remuneration being but a small part of that revenue which his integrity, activity, and zeal have created, exclusive of the numerous advantages accruing to commerce and to the public.—Upon this report, Mr Palmer's son, Major Palmer, moved a resolution, that he was entitled to this remuneration, according to his agreement with Government.

May 12.

Mr Long rose to oppose this resolution. He affirmed, that Mr Palmer was dismissed from his appointment for refusing to obey the orders of the Postmaster-General, for endeavouring to throw the Post-Office into confusion, to create unnecessary expence, and to retard the delivery of letters; and that, having been thus dismissed, he had accepted of 3000*l.* a-year as a full compensation for all the emoluments which he could fairly claim. To prove these charges, he read some confidential letters written by Mr Palmer to his deputy, during his vexatious disputes with the Postmasters-General, and treacherously delivered into their hands by that deputy, two years after their date, to furnish them with a specious pretext for continuing Mr Palmer's suspension, when they had suspended him without any pretext at all. This speech of Mr Long produced an excellent reply from Major Palmer, in which he substantiated the justice of his father's claims, and exculpated him from every charge which malice or misconception had brought against him, in the most clear and convincing manner. He exposed also the wanton and vexatious interference of the Postmasters-General, their excessive improvidence, and the manner in which one of them, even at the time when, in his letter to Mr Palmer, he expressed his opinion that the plan was a most fortunate one, and "that he amply deserved the salary and per centage for which the faith of government was pledged," was, at that very time, clandestinely endeavouring to undermine the plan, and to deprive him of his remuneration, by contradicting the favourable report of the Commissioners, in terms as positive as experience has since proved them to be false. Mr Croker, Mr Windham, Sir John Newport, Sir Francis Burdett, Lord Henry Petty, Sir Thomas Turton, Mr William Smith, and Dr Lawrence, all spoke in favour of the claim. "Mr Palmer," they argued, "did not appeal to parliament as a suspended officer soliciting restoration to his office, but as a creditor demanding the payment of a debt. There had been a specific agreement with the government of the country, which government acknowledged, and for the performance of which the public faith is pledged. The grant to Mr Palmer was not a fixed remuneration, formed according to the opinion then entertained of the merits of his plan, but a reward placed on the best possible footing on which rewards in such cases could be established, namely, such as should make the advantage to the projector rise or fall in exact proportion to the service which he rendered. The amount of the sum claimed in the right of this agreement is the great

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bar to its fulfilment; but it is this very amount that so incontestably proves the merits of the case: and surely it was enough to have so long withheld from him his lawful due, without making the very extent of the injury a plea for farther injustice! Surely parliament would never venture to avow, that it refused to make good to Mr Palmer the reward that was promised, because the advantages of his plan to the public had turned out so much greater than was expected!" —Mr Croker thought the continuance of the salary should not be claimed; and Mr Windham thought it might be contended, that when he accepted of that in lieu of part of his per centage, he accepted it as subject to the condition by which such property is held. In consequence of these opinions, that part of the claim was withdrawn;—the other part was voted by a majority of 66, notwithstanding the opposition of Mr Perceval and the creatures of Mr Pitt. A second debate was carried also by a considerable majority against the same party; and the Speaker then informed the House, that the regular mode of proceeding was to vote the sum due to Mr Palmer in a Committee of Supply. The future per centage was to be secured by a bill. Accordingly 51,702*l.* were voted in the Committee, and the bill was brought in.

It was hinted, that if this bill were rejected by the Lords, it might endanger the arrears. Major Palmer, therefore, immediately abandoned all thought of carrying it there; but Mr Perceval, bent upon frustrating his claims in any manner, interfered, moved the third reading hereof, and sent it to the Upper House, on purpose that it might be thrown out there. Having succeeded in this, he then moved, that the arrears, instead of being included in the general appropriation-bill, *June* 23. should be voted in a separate bill, "in order," as he said, "to give the Lords an opportunity of exercising their discretion upon it;"—that is, in order that it might be rejected. This ungenerous proceeding was successful, though not less derogatory to the House of Commons than unjust to Mr Palmer; its professed object being to render the previous votes of the House nugatory. Major Palmer, hopeless of succeeding when Ministers were resolved that he should not succeed, begged Mr Perceval to spare him the unnecessary expence, trouble, and mortification which such a bill must involve. "Could he," he said, "anticipate a fair consideration of the question, no man would more anxiously court it;—he would submit it to the common sense of any individual in the kingdom who could read the evidence,—but there was no hope of this." The motion was carried, and the bill brought in and read. Mr Perceval, however, had humanity enough not to press it through the House;—his triumph was already complete;—and thus the stigma still remains upon our government, of having broken its own contract in its own favour, and withheld a stipulated remuneration, arising wholly out of the fruits of his own labours, from the individual, who, of all others, has rendered the most essential service to the commerce of Great Britain.

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CHAP. IX.

General Whitelocke's Trial. Madeira taken possession of. Capture of the Danish West India Islands, and of Deseada and Marie Galante. Transactions in the East. Siege of Camoona. The remains of the Dutch Naval Power in India destroyed. Action between the St Fiorenzo and La Piedmontese, and Death of Captain Hardinge. Rochefort Squadron. Negociations with America concerning the Embargo.

THE public attention was excited early in the year by the trial of General Whitelocke, for his misconduct at Buenos Ayres. The charges against him were; "1st, That he had pursued measures ill calculated to facilitate the conquest of the province; for, when the Spanish commander expressed a desire to communicate concerning terms, he required the surrender of all persons holding civil offices in the government as prisoners of war; an unusual and offensive demand, tending to exasperate the inhabitants, to produce and encourage a spirit of resistance, to exclude the hope of amicable accommodation, and to increase the difficulties of the service with which he was entrusted. 2dly, That he did not make the military arrangements best calculated to ensure the success of his operations against the town; that, having known that the enemy meant to occupy the flat roofs of the houses, he nevertheless divided his troops into several brigades and parts, and ordered the whole to be unloaded, and no firing to be permitted on any account; and, under this order, to march into the principal streets of the town, unprovided with proper means for forcing the barricadoes, whereby the troops were unnecessarily exposed to destruction, without the possibility of making effectual opposition. 3dly, That he did not make, although it was in his power, any effectual attempt, by his own personal exertion or otherwise, to co-operate with, or support the different divisions of the army when engaged in the streets of Buenos Ayres; whereby those troops, after having encountered and surmounted a constant and well-directed fire, and having effected the purport of their orders, were left without aid, support, or further orders; in consequence of which considerable detachments were compelled to surrender. Lastly, That, subsequently to the attack, and when the troops were in possession of posts on each flank of the town, and of the principal arsenal, with a communication open to the fleet, and having an effective force of 5000 men, he concluded a treaty, whereby, according to the acknowledgment in his own dispatch, he resolved to forego the advantages which the bravery of his troops had obtained, and which advantages had cost him 2500 men in killed, wound-

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ed, and prisoners; and by such treaty he unnecessarily and shamefully surrendered all such advantages, totally evacuated the town of Buenos Ayres, and consented to deliver, and did shamefully abandon and deliver up to the enemy the strong fortress of Monte Video, which had been committed to his charge, and which was not in a state of blockade or siege." As these circumstances occurred during the preceding year, we are spared the pain of entering into the melancholy and disgraceful detail. After a trial of thirty-one days, General Whitelocke was pronounced guilty of the whole charges, that part alone excepted which related to the order, that the columns should be unloaded. The Court, being anxious to have it distinctly understood, that they attached no censure whatever to the precautions taken to prevent unnecessary firing during the advance of the troops to the proposed points of attack, acquitted him of that part of the charge; and sentenced him, upon the rest, to be cashiered, and declared totally unfit and unworthy to serve his Majesty in any military capacity whatever. This sentence was ordered to be read at the head of every regiment, and inserted in all regimental orderly books, "that it might become a lasting memorial of the fatal consequences to which officers expose themselves, who, in the discharge of the important duties confided to them, are deficient in that zeal, judgment, and personal exertion, which their Sovereign and their Country have a right to expect from officers entrusted with high commands."

It was expected that the charges would have affected his life, and the sentence, though it was the severest which could be pronounced upon the case, dissatisfied the people. They felt, that, to a man who had made himself infamous, it was no punishment to be declared so:—yet, had he been condemned to death, though the example would have been more efficacious, where example is needed, there is a humanity in the English character which would have made him, for a time, an object of pity, and rendered his memory less odious. Something less than death, and more than a superfluous ratification of infamy, would be the appropriate punishment in such cases, —imprisonment or transportation. Our martial law is, in this instance, almost as much too lenient, as it is in all others too cruel. With Whitelocke's trial all investigation ended. It was never ascertained who committed the fault of entrusting such a command to a man, better known in the army for his arrogance, and his rigid attention to the fopperies of the service, than for any other qualifications. This question was repeatedly asked; for, though no legal responsibility is attached to the appointment of unworthy men, it was felt by the people, that want of judgment is not less ruinous to the nation, in those who delegate command, than in those who exercise it; and it was remembered, that able heads in the cabinet never wanted able servants in the field. But shame and indignation were not the only feelings which they who understood the real interests of their country endured, at seeing her honour stained, and the blood of her brave soldiers wasted with wanton folly: the wretched policy upon which this expedition had been undertaken, and the utter ignorance of the state of the country to which it was sent,

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that appeared upon this trial, excited new mortification and regret. It now appeared, that the Spaniards of the Plata would joyfully have welcomed us, if we would have acknowledged their independence, and promised them our protection; but by going as invaders, instead of deliverers, we provoked that very spirit to our destruction which would have been our sure ally, and which would have secured to us, without loss, hazard, or expence, all the commercial advantages which could be desired. This was what the wiser part of the English people would have wished; but their rulers were for conquest; they wanted dispatches, which might set the guns firing and the bells ringing over the kingdom and new possessions, which would strengthen them by increasing their patronage while the war continued, and which might be reckoned up in the bargain for peace, whenever, according to the usual manner in which this country negociates, like children who have been playing for counters, they came to give back their winnings at the end of the game.

Our military transactions in the beginning of the year were confined to the capture of a few islands. In January advices were received that Madeira had been taken possession of, on the 26th of the preceding month, by Major-General Beresford and Rear-Admiral Sir Samuel Hood, on condition that it should be evacuated and re-delivered to the Prince Regent of Portugal, his heirs or successors, whenever the free ingress and egress of the ports of Portugal and its colonies should be re-established as before, and when the sovereignty of Portugal should be emancipated from the yoke and influence of France. The Danish islands of St Thomas and St Croix * were captured about the same time by General Bowyer and Sir Alexander Cochrane, without resistance, the Danish governors requesting only that three of their officers might be permitted to see the British force before they capitulated, in order that their honour might not suffer any imputation. The small islands of Marie Galante and Deseada were taken, in March, by the squadron under Captain Selby, who was at that time blockading Point a Petre, Guadaloupe. Marie Galante was a station so convenient for the enemy's privateers, that it was apprehended they would attempt to recover it; and accordingly, on the 23d of August, an attempt was made. Seventeen boats, with about 200 men, commanded by Colonel Cambriel, pushed over from Guadaloupe, landed near Grand Bourg, and proceeded to attack the

* In the capitulation for St Croix, there was the following article: "Certain persons, Danes, having engaged in a dangerous conspiracy, for the purpose of subverting, even by means of assassination, the existing order of things, the enquiry already instituted is to proceed against the persons arrested, and such others as may hereafter be found to have been implicated, in the same manner as if the colony had remained under the Danish flag: and, when the enquiry is at an end, those persons are to be sent to Denmark to take their trials." Upon this subject nothing more has appeared than a paragraph, dated from Copenhagen, stating, that Baron B——, a native of St Thomas, had formed the project of raising himself to the rank of Emperor of the West India Islands; and offered to the English, on condition they would supply him with a frigate, to murder all the servants of the Crown on the island, and enter into a treaty with Jacques, the then black emperor of Hayti. If there be any truth in this, Baron B—— must have been a madman.

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battery. They were perceived by the Circe; twenty or thirty seamen immediately landed from her, got to the battery before the French, and received them there so warmly, that they compelled them to retreat. All their boats were seized, and they retired into the interior of the island. The news reached Barbadoes on the 27th, and General Beckwith immediately dispatched Lieutenant-Colonel Blackwell with three companies against the enemy. When he landed, the French were strongly posted within three miles of Grand Bourg; they retreated before the British troops, who pursued them five days and nights, drove the enemy four times from the positions where they attempted to make a stand, and compelled them at last to surrender themselves prisoners of war. Their commander, however, was not to be found. It was said that he had escaped to Guadaloupe in a canoe; but Colonel Blackwell suspected that he was concealed in the island.—Their capitulation was marked by a singular and fatal circumstance. Mr John Brown, a merchant of Dublin, had been taken prisoner by them, and was set at liberty, that he might make their proposals to the English officer. In his joy, he forgot to take a flag of truce; and when he approached one of our outposts, running eagerly on, a black centinel shot him through the heart. He was a young man in the prime of life, of rare talents and generous feelings; one whom all who knew him will ever remember with affection and regret.

The folly of having surrendered Guadaloupe and Martinique at the peace of Amiens, has been so manifestly proved, and so dearly paid for during the present war, that no similar fault will be ever repeated by our negociators. St Martins was unsuccessfully attacked; the enemy had received information of our designs, and were prepared accordingly. A hundred and thirty men under Lieut. Spearing landed, carried the lower fort, and spiked the guns; but they suffered severely in ascending the heights, which are covered with the prickly pear. Their leader was shot through the chest when within ten yards of the upper fort, and his companions, unable to effect their retreat, were compelled to surrender. They were, however, set at liberty in consequence of a flag of truce.

While these transactions were going on in the West Indies, intelligence of a less favourable nature arrived from the East. Doondea Khan, a farmer of land in the district of Allyghur, in the conquered provinces, had committed many of those lawless acts of violence upon his neighbours, which the Hindoos always suffer from their native tyrants, and may almost be said to deserve from them, for their bestial patience under oppression. He had resisted the authority of the judge and magistrate of the district, and withheld, with that sort of insolence which amounted to defiance, the large sums due from him to the Company. It was, in consequence, thought necessary to reduce his forts, seize his person, and bring him and his adherents to trial before the courts of criminal jurisdiction, for their offences. Major-General Dickens and Lieut. Col. Horsford of the artillery were sent against him with a strong force, and proceeded to attack Camoona, his principal fort, situated between Agra and Delhi. Lord Lake had pardoned the former offences of Doondea Khan, on condition that he

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should surrender the guns of this fort, fill up the ditch, and disband the forces; conditions which he was too confident in the strength of the place to perform. The British forces encamped before it on the 12th of October, 1807; they perceived that it would be hopeless to attempt it by an immediate assault, and therefore besieged it in form. There were, however, great obstacles to this mode of attack; the country about Camoona was unfavourable for procuring the necessary materials, and the number of the enemy's miners was greatly superior to that of the besiegers. Several sallies were made during the siege, in one of which Doondea nearly succeeded in driving the troops from the trenches. It was not till the 18th of November that a practicable breach was made; and on the evening of that day the fort, and the fortified garden adjoining it, were assaulted at the same time; and from both places the besiegers were repulsed with severe loss, no less than 650 men being killed and wounded. In the night the place was evacuated. The enemy's loss was not known, it was guessed at 1000 men,—probably an exaggerated number, for, in the unsuccessful assault of a fortified place, the greatest loss must necessarily fall upon the assailants. The price at which this success, if so it can be called, was purchased, proves that the failure of Lord Lake at Bhurtpore is not forgotten by the natives, and that the great superiority of European troops is no longer to be relied upon with the same confidence as heretofore. The Moors and Hindoos have become familiar with our means and mode of warfare. This species of instruction we have willingly, and indeed unavoidably, communicated, —and this is all! A cowardly * policy prevents us from taking root in

* Mr Huddleston used these expressions in the House of Commons, July 18, 1806, describing a more enlightened system which Alderman Prinsep had recommended. "This system," said he, "would substitute, in the Indian trade, ships built in India for ships built in England; teak ships for oak; the Lascar for the British tar; and the Ganges for the Thames. The home of the trade would be India, and it would soon make India the home of thousands of artificers, agents, and adventurers of all descriptions: At every out-port and subordinate factory, there would be a European public; and, in the space of sixty or seventy years, the number of Europeans in India would exceed the number of British Americans in North America when that country declared its independence." Will it be believed that this was said to warn the Company against such a system? or that the probable growth of a European, that is to say an enlightened Christian and English public, in Asia, is represented as the greatest danger that the Company can have to apprehend!——Well may this be called the leaden-headed, leaden-hearted, policy of Leaden-hall Street!——While these precious arguments are used against colonizing in India, the efforts of the missionaries in that country are opposed by a party whom it is not uncharitable to call Anti-Christian, whatever may be their profession of faith, their avowed and specific object being to prevent the teaching of Christianity. Mr S. R. Lushington spoke in the House (March 15, 1808,) of the wish to introduce the gospel in India as "absurd fanaticism, seeking to change that religion which an Almighty Power has suffered to subsist for so many ages." One might almost suppose, from such language, that the worship of the Lingam was represented as the true faith.—If there is to be no other bond between the English and the East Indians, than that of Conqueror and Subject,—the consequences may easily be foreseen.

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the land;—instead of imparting to the inhabitants our morals and religion, we accommodate ourselves to their manners by laying aside our own: and the very fear of making enemies in the country prevents us from raising up a body of friends, on whom we might rely in the hour of danger, because their vital interests would be inseparable from the strength and stability of our dominion.

The destruction of the Dutch naval force in the East Indies, was completed by Sir Edward Pellew.—On the 20th Nov. 1807, he sailed from Malacca with a squadron of two 74's, two frigates, and four smaller vessels, and, on the 5th of the following month, arrived off Point Panke, at the eastern extremity of Java, where the Dutch ships were lying in a dismantled state at Grissee. The line-of-battle ships could not proceed beyond Sedaye, which is about ten miles up the Straits of Madura, without being lightened: they anchored there, and a commission under a flag of truce, consisting of Captain Fleetwood Pellew of the navy, Captain Sir Charles Burdett of the 30th, and Mr Locker, the commander in chief's secretary, were sent to treat with the commandant of the Dutch naval force, for the surrender of his squadron. The summons which they bore was suitable to the power and moderation of the British government. It stated, that the English were the natural friends of the Dutch; but that it was become their duty to prevent Dutch ships of war from acting under the controul of France against the British. If the commander would deliver up the Dutch ships and vessels of war, and all others under French colours which might then be lying there, they would forbear from any measures of violence against the settlements and their inhabitants, and peaceably retire, after having obtained the necessary refreshments. The Dutch commandant at Grissee, M. Cowell, contrary to the law of nations, arrested the commissioners, and sent back answer, that his duty as an officer in the service of the King of Holland, prevented him from suffering either the boat or people to return; and that whatever injury the chance of war might expose him and his countrymen to, would be miserably obviated by attending to the proposals which the English commander had thought proper to make.

Upon this, Sir Edward Pellew ordered the line-of-battle ships to be lightened, and then proceeded with his whole squadron. A battery, consisting of twelve 9 and 18-pounders, at Sambelargan, on the island of Madura, hulled several of the ships with red-hot shot, but no injury was done, and it was soon silenced. The battery at Grissee was silenced also, after a few ineffectual discharges.—M. Cowell, as soon as he perceived the English approaching, scuttled the Dutch ships, and sent his prisoners to Sourabaya, a town about 15 miles higher up the Straits, to which Grissee is subject. This is a beautiful place, situated about a mile and half from the sea, upon a river which is navigable for vessels of 100 tons, having a tracking-path on the bank. The Chinese carry on a considerable trade here, and have a town on the opposite side of the river. The resident at Sourabaya has the rank of Senior-Merchant, and the title of Commander of the Eastern District. When the Eng-

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lish Commissioners arrived here, they complained to the commander of their unwarrantable detention; they were in consequence released, and accompanied by a deputation of three members of the council, to disclaim all concurrence on the part of government in such a measure, and to express their concern for it.

Sir Edward Pellew and Colonel Lockhart now proposed the following terms to the government and council, stating, first, That M. Cowell, by his violation of the flag of truce, was excluded from all farther correspondence with the British.—"The ships," they said, "at Grissee, with the naval and military stores, were already in their hands, and must be destroyed; but the private property, provisions, and other stores, should remain secure: The British force was not directed against individuals; and if the governor and council would declare, that there was no ship of war at Sourabaya, their word would be received as a security for that settlement." They pledged their word accordingly, and the place was untouched. "The battery of Sambelargan," it was said, "must be destroyed, but, to prevent the necessity of employing force, it was proposed that the governor and council should issue their orders for the purpose, a British officer and a party of troops being admitted into the fort for the completion of the same." "We are compelled," said the governor and council in their answer, "to acknowledge that the destruction of Sambelargan by the artillery of the English ships, is in the power of your Excellency, and that we are unable to oppose any resistance; but the generosity which has been shown towards Grissee, assures us that it cannot be your intention to show us any insult, by compelling us to submit to the destruction of the battery by your troops; we therefore request that you will relax from this article, upon our engaging to disarm and demolish this battery at the same time." This was acceded to by the English commander, and the battery was accordingly destroyed by the Dutch, the commanding officer of artillery inspecting it after it was demolished. A supply of water was required, about 300 head of cattle, and fruit and vegetables, to be paid for immediately in Spanish dollars, at the usual market prices. Upon these terms the security of the Dutch settlement was guaranteed.

Two 70 gun ships were destroyed, which had been very fine ships, but much neglected; a third, which had been cut down to a hulk, a Company's ship of 1000 tons, pierced for 40 guns, and a transport;—and thus the entire destruction of the naval power of Holland in the East Indies, a power which had been once so formidable, was completed.

The Danish settlements of Tranquebar and Serampore were taken possession of without opposition, as soon as news arrived of the rupture with Denmark. The last intelligence of the year from India was of an action between the St Fiorenzo and La Piedmontaise, one of the most glorious in the annals of the British navy. The St Fiorenzo was originally a French 40 gun frigate, called La Minerve, which had been captured and sunk in the Mediterranean, and afterwards weighed up, chiefly by the exertions of Captain, now Admiral Tyler, to whom the command of her was then given, and

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her new name was then imposed after the town and port so called in Corsica. Captain George Nicholas Hardinge served on board her at that time as a midshipman; and thirteen years afterwards, during which he had distinguished himself by the most enterprising services, he was appointed to this same frigate at Bombay, when, after undergoing a repair, she was in such a condition as to be described by himself "barely effective, but not eligible, and rather safe than sound." She carried 38 guns; and her crew consisted of 186 men, chiefly invalids. The Piedmontaise mounted 50 long 18-pounders, and was manned with 566 men. This vessel had long annoyed our commerce in the Indian seas, and it had long been the wish of the English ships of war to fall in with her; because her second captain, Charles Moreau, had wounded the captain of the Warren Hastings, and some other of the crew, with a dagger, after they had surrendered. In consequence of this barbarity, orders had been issued by Sir Edward Pellew to inflict upon him due punishment whenever he should be taken; but hitherto the Piedmontaise had outsailed every thing. The Frenchman having made many captures upon the cruise, learned, from different accounts, that three Indiamen were about to sail from Bombay without convoy, and resolved to wait for them off Cape Comorin. His plan was to run close alongside the first, and throw about 150 men on board, and then engage the second,—by which he expected to secure two of the three at least.

On the 4th of March, the St Fiorenzo sailed from Pont de Galle, Ceylon; and, on the morning of the 6th, came in sight of the three Indiamen, just as the Piedmontaise was about to bear down upon them. It was nearly midnight before the English frigate could get near enough the enemy to engage; she then ranged alongside him, within a cable's length; but after a few minutes, the Piedmontaise got out of the range of her shot. The St Fiorenzo pursued all night; shortly after daylight, they recommenced firing at the distance of half a mile, gradually closing to a quarter: this was continued for about two hours, when the Frenchman again made all sail, having materially crippled his enemy's rigging. The English repaired their damage, kept sight of the Piedmontaise during the night, bore down for action in the morning, and, about three o'clock, came up with her within a quarter of a cable's length. After an hour and twenty minutes, the Piedmontaise struck her colours.—This victory, glorious as it was, was dearly purchased by the loss of Captain Hardinge, who fell in the last action by a grape-shot; deeply and deservedly regretted by the British navy, which did not contain an officer of higher promise. The loss of the English was 13 killed, 24 wounded, that of the French 50 killed, 122 wounded. Moreau, as was to be expected, fought desperately, and for some time prevented his men from striking; when he saw that the contest was hopeless, and that no friendly ball came to save him from a more ignominious fate, he shot himself, and that not proving effectual, was, at his own request, thrown over by his men, while yet living. Great honours were paid to the memory of Captain Hardinge in India; and the King granted an honourable augmentation to the armorial bearings of his family, the crest being a naval

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sword passing through a wreath of cypress and another of laurel.

During the spring of the year, the hopes of the British people were excited by the unusual circumstance of a French squadron having put to sea. It escaped from Rochefort in the month of January, at a time when Sir Richard Strachan had left that port for a few days, either from stress of weather, or because his ships had not been duly supplied. Intelligence was soon given to Sir John Duckworth, who, supposing they were bound for the West Indies, made all sail in that direction. He touched at Madeira, proceeded to the squadron which was blockading Martinique, ran down as far as Hayti, and then struck for America, and arrived off the Chesapeake the 11th March. Here the Americans enforced their inhospitable interdict, and refused to supply our ships with water and provisions. From thence the squadron sailed for the Western islands, where they were well supplied; and then returned to England, after an unsuccessful cruize of more than 13,000 miles. Sir Richard Strachan meantime was, with as little success, seeking the same enemy in the Mediterranean. It was at last ascertained that they had got into Toulon.

The temper of the Americans was manifested by their conduct towards our squadron,—a method of displaying their enmity as base as it was contemptible. The same spirit appeared at their celebrations of the anniversary of their independence, when their toasts were levelled against the power of England with safe insolence. The embargo was, however, severely felt; and, if the Americans had been as bold in actions as in words, discontent must in some of the states have burst out into civil war. A separation from the union was openly proposed by the newspapers in the New England state; combinations were formed for resisting the embargo; and the president issued a proclamation to put down such combinations by force of arms. But the Americans are too prudent a people to involve themselves hastily in war, either foreign or domestic;—and as their government found the embargo a more convenient mode of injuring us than actual hostility would have been, so did the people find it wiser to evade the embargo than to dispute it. Upon the Mississippi it was openly disregarded, and from the other states it was eluded so successfully, that our islands were as well supplied with American produce as at any former time. The people of Boston petitioned for a repeal of the embargo, advising that Congress should be specially convened; a counter petition was at the same time presented; the president answered both,—he pointed out to the former, that the legal meeting of Congress would be as early as they could possibly assemble in that extensive country by a special call. "The embargo," he said, "was the only honourable expedient of avoiding war, when the belligerent powers had beset the highway of commercial intercourse with edicts which would render the commerce of America a prey to their fleets and armies. This measure would give them time to revise their unjust proceedings." The warmest friends of the freedom of the press could not but be offended at its abuse in America upon this occasion; and, had not the government been greatly better than the people, consequences the most fatal might have ensued from the inflammatory language

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which was permitted. Had this language been punished by severe fines and sentences of long imprisonment, civil war would probably have been the consequence; but the calmness with which these things were borne, and the not undignified moderation with which complaint was answered by the president, as soon as it was addressed to him, assuaged the turbulence of the people. It proved to them, that, however they might suffer from the measures of their government, they were respected by it.

Jefferson, however, thought it expedient to make some overtures for accommodation, and a note was accordingly addressed by the American Minister-Plenipotentiary, Mr Pinckney, to Mr Secretary Canning. In this it was offered, if Great Britain would repeal her Orders in Council with regard to America, that America would suspend her embargo as it regarded Great Britain. "The effect of these concurrent acts would be," it was said, "that the commercial intercourse between the two countries would immediately be resumed; while, if France continued to enforce her decrees, the embargo would act against her as the Orders in Council were intended to do, and lead, with an efficacy not merely equal to theirs, but probably much greater, to all the consequences that ought to result from them." A month elapsed before any answer to this proposal was returned, our government waiting to see what answer would be made by France to a similar offer. France, however, did not think proper to reply. Mr Canning then addressed an official letter to the American Minister, wherein he stated, "that the mitigated measure of retaliation announced by the Orders in Council, was founded on the unquestionable right of his Majesty to retort upon the enemy the evils of his own injustice; and upon the consideration that, if third parties incidentally suffered by those retaliatory measures, they were to seek their redress from the power by whose original aggression that retaliation was occasioned. His Majesty," it proceeded to say, "sees nothing in the embargo laid on by the President of the United States of America which varies this original and simple state of the question. If considered as a measure of impartial hostility against both belligerents, the embargo appears to his Majesty to have been manifestly unjust, as, according to every principle of justice, that redress ought to have been first sought from the party originating the wrong; and his Majesty cannot consent to buy off that hostility, which America ought not to have extended to him, at the expence of a concession, made not to America, but to France.—If, as it has more generally been represented by the government of the United States, the embargo is only to be considered as an innocent municipal regulation, which affects none but the United States themselves, and with which no foreign state has any concern; viewed in this light, his Majesty does not conceive that he has the right or the pretension to make any complaint of it, and he has made none. But in this light, there appears not only no reciprocity, but no assignable relation between the repeal by the United States of a measure of voluntary self-restriction, and the surrender by his Majesty of his right of retaliation against his enemies.

Aug. 23.

"An experiment, it was stated, had

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been made by France, to destroy the political existence of Great Britain by ruining her commerce; in this experiment the powers of Europe had been compelled to co-operate; and the American embargo, though it was admitted, not intended to that end, did come in aid of the blockade of the European continent, precisely at the very moment when, if that blockade could have succeeded at all, this interposition of the American government would most effectually have contributed to its success. That blockade had proved utterly harmless and contemptible; it was nevertheless important to the reputation of Great Britain, that no step, which could even mistakenly be construed into concession, should be taken on her part. If it were possible to make any sacrifice for the repeal of the embargo, without appearing to deprecate it as a measure of hostility, his Majesty would gladly have facilitated its removal, as a measure of inconvenient restriction upon the American people. It was observed, that nothing had been said by Mr Pinckney of any intention to repeal the proclamation by which our ships of war are interdicted from those rights of hospitality in the ports of the United States, which were freely allowed to the ships of his Majesty's enemies; and this, it was said, afforded but an inauspicious omen for the commencement of a system of mutual conciliation." This correspondence was laid before Congress by the President, who, in his message, urged the necessity of continuing the embargo. "Concerning the affair of the Chesapeake," he said, "that the inadmissible preliminary which obstructed the adjustment of that difference was still adhered to by the British government, and, moreover, that it was now brought into connection with the distinct and irrelative case of the Orders in Council,—as if England were to enter into a negociation with America for compounding the lesser cause of difference, and leaving the more important matter of dispute untouched!"——Little does Mr Jefferson understand the state of England, and the feelings of the English people. The embargo and the Orders in Council were vehemently discussed as party questions, and then they were forgotten. —Some temporary inconvenience might be sustained by a few individuals, but the nation at large were not in the slightest degree affected; and when they were reminded, by any accident, that such acts were in existence, they thought of them with indifference, like other laws which could never be brought home to themselves. It was otherwise with regard to that which Mr Jefferson styled the inadmissible preliminary, —the sovereignty of the seas. That is the privilege of England, and the pride of every Briton; the King feels not a livelier interest in asserting it than the humblest of his subjects. It is our birthright and inheritance, which our fathers have won; which we ourselves have, in our generation, gloriously established, and which our posterity will maintain!

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CHAP. X.

Convention with Sweden. Declarations of Russia, Denmark, and Prussia against that Country. War in Finland. Norway unsuccessfully invaded by the Swedes. Expedition of Sir J. Moore, and its return. Cruelties of the Russians. The Swedes compelled to evacuate Finland, which is ceded by an armistice. Capture of a Russian line-of-battle ship.

In the month of February, a convention * between his Majesty and the King of Sweden was signed at Stockholm, in which Great Britain agreed to pay to Sweden twelve hundred thousand pounds in twelve monthly payments, the King of Sweden engaging to employ it in putting into motion, and keeping on a respectable establishment, all his land-forces, and such part as should be necessary of his fleets, particularly his flotilla. The two contracting powers covenanted also, that they would conclude no peace or truce, or convention of neutrality with the enemy, but in concert and by mutual agreement. It was added, in a separate article, that the measures to be taken, and the auxiliary succours to be stipulated for, in case of war actually taking place between Sweden and the neighbouring powers, should be concerted as soon as possible.

When this convention was laid before parliament, Ministers observed, that the proposed subsidy and support were not intended to entangle the King of Sweden in any alliance that should prevent him from making an equitable and honourable peace; but to enable him to make a stand in the defence of his kingdom: and they remarked, that the subsidy was not to be paid in one sum, as it had formerly been to Prussia, but in monthly instalments, to be continued as long as it was probable its object could be accomplished. Lord Grenville was not disposed to oppose a measure which tended to uphold the character of Great Britain in the eyes of Europe. "He was sorry, however," he said, "to see the treaty encumbered with a stipulation, that the two countries should negociate conjointly. There was no reciprocity between the interests and situation of the two powers; and therefore it was idle to tie down either of them to a joint negotiation: besides there was a sort of contradiction in saying that Sweden was left free to negociate,

* Appendix, No. XII.

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and next to require that she should not make peace except in conjunction with her ally." Mr Whitbread enlarged upon this objection. "A similar engagement," he said, "was contracted in the course of the last war with the King of Sardinia, by which we had bound ourselves not to conclude a peace, unless he was reinstated in the whole of his dominions; the engagement was violated by the peace of Amiens, and thus had brought disgrace upon the country. The fidelity of the King of Sweden, much as he admired it, he did not think superior to that which had been displayed by Austria; the wisest policy which that monarch could pursue was to make peace with France, and it could be no impeachment of his honour to do so." Upon these grounds, and upon the omission in the treaty of any stipulation on the part of Sweden to co-operate in giving effect to the Orders in Council, he moved a long amendment, which was negatived without a division.

This treaty was signed on the 8th of February. The Russian troops were already on their march towards Finland; and, on the 10th, the Emperor Alexander issued a declaration against Sweden. "Justly indignant," he said, "at the violence which England had displayed towards the King of Denmark, faithful to his character, and to his system of unceasing care for the interests of his empire, he could not remain insensible of so unjust and unexampled an aggression on a sovereign connected with him by the ties of blood and friendship, and who was the most ancient ally of Russia. By the treaties of 1783 and 1800, which covenanted to maintain the Baltic as a close sea, to guarantee its coast against all acts of hostility, violence, or vexation whatever, and to employ for that purpose all the means in the power of the contracting parties, his Imperial Majesty was not merely authorised but bound to call upon the King of Sweden for his co-operation against England. But the King of Sweden refused all co-operation till the French troops should be removed from the coasts, and the ports of Germany opened to English ships, —could there be a more striking proof of partiality towards Great Britain? Informed that the cabinet of St James's had threatened Denmark, that Swedish troops should occupy Zealand, and that the possession of Norway should be guaranteed to Sweden; assured also that that King was secretly negociating a treaty at London, his Imperial Majesty could not allow the relations of Sweden towards Russia to remain longer in a state of uncertainty, and nothing remained but to resort to those means which Providence had placed in his hands, for no other purpose except that of giving protection and safety to his dominions." —It is curious, that, when this Emperor Alexander was expressing to Lord Hutchinson his indignation against our conduct towards Denmark, he said "such principles would justify him in attacking Sweden;" thus with his own lips condemning the conduct he was so soon to pursue.

The Russian general, Buxhovden, issued a proclamation upon entering Finland. The *Feb.* 18. tranquillity of Europe, it was there affirmed, could only be effected by the coalition which had so happily been formed by the most powerful states; but the King of Sweden, instead of joining that coa-

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lition, had formed a closer alliance with the enemy of tranquillity and peace; and therefore his Imperial Majesty found himself necessitated to take Finland under his protection, in order to secure to himself due satisfaction. "Good friends, and men of Finland!" said this base imitator of an infamous ally, "remain quiet and fear nought; we do not come to you as enemies, but as your friends and protectors, to render you more prosperous and happy, and to avert from you the calamities which, if war should become indispensable, must necessarily befall you. Do not allow yourselves to be seduced to take arms; whosoever offends against this admonition, must impute to himself the consequences of his conduct; while, on the other hand, those who meet his Imperial Majesty's paternal care for the welfare of their country, may rest assured of his powerful favour and protection. All things shall pursue their usual course, according to your ancient laws and customs. Prompt payment shall be made for all provisions and refreshments; and that you may be still more convinced of his Majesty's paternal solicitude for your welfare, he has ordered magazines to be formed, out of which the indigent inhabitants shall be supplied with necessaries in common with his troops. Should circumstances arise to require an amicable discussion, you are directed to send your deputies to the city of Abo, in order to deliberate and adopt such measures as the welfare of the country shall require." A proclamation was also issued to the Swedish soldiers, in which Buxhovden, affecting to commiserate them, as having been obliged to leave their wives and children to fight for an unjust cause, exhorted them to lay down their arms, and return in peace; and offered two rubles for a musket, one for a sword, and ten for a horse.

Denmark, in like manner, declared against Sweden. All Europe, said the Declaration, has resounded with one cry of indignation, at the crime committed by Great Britain, against a neutral and peaceful state; and from all quarters has the Danish Government received testimonies of the most lively interest in its cause. The Court of Stockholm alone observed a total silence, which it broke at length, only to prefer complaints the most unfounded, and reproaches the most unjust. Indications, indeed, of a secret understanding with Great Britain, at the expence of Denmark, had not been wanting. They appeared in the extraordinary facility with which Sweden consented to the departure of the greater part of the English forces in Pomerania, several weeks before the reduction of Stralsund; whither, as it seemed, they went with no other view than to avail themselves of the opportunity of being conveyed to Zealand. With the extent of the assistance which its enemy had received in the ports of Sweden, Denmark was not acquainted, but it had felt the consequences of that assistance, in a manner most lamentable to itself; and it had been insulted by the pleasure which the King of Sweden appeared to take in repairing to the coast opposite to the Sound, and beholding, personally, all the injustice and outrage committed against a neighbouring country; by the caresses, and marks of distinction, which he lavished upon the leaders of the English forces,—and by the honours which they, on their part, affected to render him as the ally of their sovereign. These appearances were

Feb. 29.

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soon succeeded by facts; and the English Government first developed to Denmark the openly hostile disposition of his Swedish Majesty. He was called upon, in the most frank and friendly manner, to declare himself on this subject, and he endeavoured to elude an explanation; he was closely prest, and he returned an answer, oblique, equivocal, and insulting. Nevertheless, as this answer seemed, in some measure, to give the lie to the Government of England, Denmark was content to dissemble its resentment, in hopes that Sweden, becoming enlightened concerning her true interests, would yield to the representations of the Court of Russia, representations made with as much tenderness as patience, and renounce his alliance with England. These hopes had been frustrated, and Denmark could no longer hesitate to take those measures which its security, the general interest of the North, its attachment to Russia, and its engagements with that power, imperiously prescribed. At a moment when Zealand was threatened, by the forces of England, to which the ports of Sweden served as a point of re-union;—when the enemy of the North had just assured himself of the dependence of the Court of Stockholm upon him for fresh pecuniary assistance, and when the public declarations of the English ministry sufficiently unfolded the nature of the engagements between the two allies, the Danish Government deemed it right to prefer a state of open hostility to precarious and equivocal relations with a power, which, for a long time, could be considered only as a secret enemy. The King of Denmark declared, therefore, that he adopted altogether the resolutions of Russia, in regard to Sweden, and would not separate his cause from that of the Emperor Alexander, his august and faithful ally.

Shortly afterwards the King of Prussia also issued his Declaration. It is to the honour of this fallen monarch, that, in none of those measures, to which he has been compelled by France, and the base treachery of his late ally, he has ever affected to be influenced by any other motive than compulsion. His declarations have been plain and melancholy confessions of helpless weakness. Having been solicited, he said, by the imperial courts of Paris and Petersburgh, consistently with the system of the other continental powers, to extend the same measures against Sweden which had been taken against England; he, therefore, in imitation of the Emperor of Russia, broke off all relations with Sweden, and closed his ports against Swedish vessels. *March* 6.

The King of Sweden replied, by counter Declarations, worthy of his good cause, and the illustrious stock from which he was descended. At a time, he said, when the Emperor of Russia seemed to feel for oppressed princes and countries, and perceived the dangers which threatened all Europe, he entered into engagements with him, founded on the confidence he placed in him as a neighbour, ally, and an independent monarch; and he is now attacked by him on the direct ground of having been his confederate! Never did a prince enter into an alliance with a more assured consciousness of the purity of its motives, as well as of its being inviolably kept. The Emperor Alexander had been personally and repeatedly insulted by the French Government, and his *March* 11.

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people had been gazetted as savages and mad barbarians, in proclamations signed by Napoleon Buonaparte himself. The Emperor had declared, that he would reject all conditions of peace, whether more or less advantageous, if they were not consistent with the glory of the Russian name, the security of the empire, the sanctity of alliances, and the tranquillity and peace of all Europe. Both the contracting parties had engaged not to lay down their arms, nor treat about any reconciliation with France, without their mutual consent: But, contrary to this express convention, the King, though at his post upon the theatre of war, was neither informed of the armistice, nor of the definitive negociations, till peace was concluded. No armistice had been stipulated for him; and thus, owing to the desertion of Russia, he was unable to defend his German states. What had his own conduct been? He had supported the operations of Russia with his ships of war, had shared with the Emperor his military stores, had rejected and immediately communicated the offers made him by the French Government. One of those offers was, that, if he would break with Russia, while in the midst of the war, and while her frontiers, and her very capital, were defenceless, Sweden should be put in possession of all the provinces lost during the reign of Charles XII. together with such farther part of the Russian empire as he might determine. His Majesty, said the declaration, stands on higher ground than to make a merit of having resisted temptations so mean and contemptible; but he is not without hopes that the aggregated censure, due to a power thus dealt with in the hour of danger, will be proportioned to its oppressive conduct towards Sweden.

"The secret articles of the treaty of Tilsit, which were immediately suspected, and which the Russian ministry had since acknowledged, soon began to unfold themselves; and the commercial monopoly of England, the fatal plea which France had assigned for usurping to itself the continent, was now brought forward in the North, for the sake of extending, even to that part of the world, the oppression and misery, to which, from port to port, and from state to state, the rest of Europe had been subjected. No government, (said this admirable state-paper,) is any longer left to its own light and experience; no people, to their own lawful industry; no middle class must be acknowledged between the vassal and the enemy. Peace signifies confederacy, confederacy submission, and from Paris must proceed the mandates which must dictate principles, laws, and ordinances, and violate what is most sacred in society." The King of Sweden then replied to those parts of the Russian declaration which related to the armed neutrality. "He had been called upon, he said, conformably to the convention made in 1780, to assist in shutting up the Baltic against foreign ships of war; and his answer was, that, as long as the French were in possession of so many harbours on the south side of the Baltic, and there exercised their system of exclusion, the Baltic could not be kept in peace; he requested, therefore, that his Imperial Majesty would first endeavour to prevail upon the French to quit those ports. Russia, regardless of this, had renewed her former demand; and he then replied, that, by virtue of the convention, made in 1801, between Russia

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and England, and to which Sweden, at the pressing instance, and under the guarantee of Russia, became a party, the armed neutrality had entirely ceased; and the stipulations grounded thereon, respecting shutting the Baltic, became null and void. They would also, had they continued in force, have been inapplicable to existing circumstances, because the Danish force, which had been calculated upon when they were framed, was no longer in being, and England had discovered the passage through the Great Belt. But, though Sweden could not with her arms contribute to the protection of the Baltic, she would take upon herself to obtain from England, that no ships of war should be sent into those seas, provided no other power made armaments there, or new hostilities compelled her to come there as an assistant. Neighbourly friendship, commerce, repose after an unfortunate war, and some motives for applause, after a still more unfortunate peace, these were the advantages which the Emperor of Russia would have derived from this proposal,—a proposal made in the well-grounded confidence of a concurrence of England. But Russia, instead of answering, ordered her troops into Finland;—thus was peace broken without a previous declaration of war—without a single article of complaint being preferred.—Springporten, a Swedish traitor, was placed at the side of the Russian commander,—and proclamations were scattered, inviting the subjects of Sweden to rebel, and the soldiers to sell their arms. Let every legal government, let every brave and honourable soldier, let every loyal subject, judge of this conduct! The treacherous invasion of a peaceful neighbour's country, preceded by manifestos inviting the people to rebellion, is a thing at all times detestable, even in these latter times, burthened, as they are, with examples of violence and injustice; but, when all the circumstances under which this injustice has been perpetrated are considered, no feeling can then express, no name can compass, the extent of such depravity;—its features will remain without a parallel in history, filling up the deeds of iniquity heaped together in this unhappy age."

The answer to the Danish Declaration was not less spirited and satisfactory. "The Court of Denmark, it stated, *March* 21. made an alliance with France, prepared to receive French troops in its country, collected transports, fitted out all its ships, to cover a French expedition against Sweden, and then declared war,—accusing Sweden of being the aggressor, because she did not make her compliments of condolence upon the loss of her fleet; and because she sought for aid from England against hostilities so manifestly intended. There was neither alliance, nor any convention whatever, which bound the two courts to any common course of political conduct; they were simply at peace with each other; and when Sweden, Russia, and Prussia, fought conjointly against France, Denmark, under the shadow of her neutrality, appeared the friend of all. The North had been outraged by the devastation of Lower Saxony, and the oppression of the Hanseatic Towns; yet the powers, who took up arms on that account, never thought of forcing Denmark to bear a part in the contest; she was the ally of Russia then as well as at present;—what could she alledge then for her tran-

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quillity, which Sweden could not alledge now? and yet this alliance is made the pretext for attacking Sweden, though all the world knows it is merely a pretence, and though her late neutrality had manifested it to be so! these contradictions are explained by the single fact, that Denmark is under the influence of France.

"The conduct of England towards Copenhagen, is urged against Sweden. On that event the King of Sweden thought it proper to be silent, leaving England and futurity to justify it. He was not invited to take part in the expedition, neither was he informed of it till the moment of its being carried into execution. Not the least movement was made in Sweden on that occasion; and the English fleet arrived and departed without entering into any Swedish port:—And here, said the declaration, the most authentic and solemn testimony is rendered to his Britannic Majesty,—that, in all his transactions with Sweden, he never demanded offensive measures, nor required any thing that was not perfectly compatible with its tranquillity and independence. The most convincing proof of this is, the promptitude with which his ministry acceded to the proposition of the King, for the pacification of the Baltic, by a formal promise not to send thither any ships of war, except on conditions useful and honourable to all the North. Let the allies of France then pronounce on which side is to be found a due regard for particular interests, and a just moderation for the general good. Denmark itself had long felt that moderation, and did not cease to experience it till she became dangerous. The court of London had fully justified its conduct, of which all subsequent events had proved the necessity. But that expedition is made the rallying word of the whole league, and the Danish government, beset by French troops, overpowered, impelled, and even paid by France, pretends to reason on the interests of the North, though it has abandoned its own interests, and even its existence, to a foreign influence."

The manifesto concluded, by expressing the King of Sweden's reliance upon the justice of his cause, the courage and loyalty of his people, and the support of that Providence which had so often upheld his country.

The reply to the Prussian Declaration was in a different temper; it simply notified to the Swedes the measures which Prussia had taken, observing, that it had not been occasioned on his part; and that the distressed situation in which that kingdom was now placed, groaning under the domination of France, was a fresh proof of the oppression to which all states must submit, who have any connection with the French Government.

April 5.

These declarations were preceded by an extraordinary measure on the part of the King of Sweden. As the Russian troops had entered Finland, before any communication which could prepare him to expect such intelligence had been made by the Russian Ambassador, he ordered that ambassador, M. Alopeus, to be put under a military guard, considering him as deprived of his public character, by the insidious aggression of his court; as a dangerous enemy, by the revolutionary principles with which that aggression was accompanied; and as a hostage for the Swedish Ambassador at St Petersburgh,

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for whose safety Gustavus professed himself to be apprehensive. The arrest took place on the 5th of March; and, on the 7th, dispatches for him were intercepted, which enabled the King to justify the act at the time when he announced it. For, in these dispatches, Count Romanzoff expressed to M. Alopeus, the Emperor's satisfaction at the list of the Swedish fleets which he had sent; his impatience to receive the account which he had promised, respecting the land forces and the interior of the country; and instructed him to bring over Baron Armfeldt, who, being a native Finlander, would, it was thought, if he could be gained, be of great importance to the views of Russia. Alexander acted, upon this occasion, with due prudence.

March 17. He issued a Declaration, expressing his astonishment at the conduct of the King of Sweden, passed over the intercepted dispatches in silence, and gave orders that the Swedish Ambassador should be treated with increased respect, and permitted to depart whenever he thought proper. M. Alopeus was detained about three months, and then suffered to leave Stockholm.

A fine prayer was composed for the Swedish churches:—"Almighty God," it said, "look mercifully upon thy people, who put their trust in thee alone. Faithless enemies have unjustly made war upon us. Thou art just, O God—What a consolation is this in our righteous cause! Inspire all our hearts with one mind, so that, like our forefathers, we may go forth, hand in hand, and with united strength, for the defence of our dear native land;—be with us, as thou wast with them;—they implored thy help in the hour of danger, and thou didst hear their prayers."—All unmarried men, between the ages of eighteen and twenty-five, of what rank soever, were ordered to hold themselves in readiness to defend their country. Every thing seemed to indicate a vigorous determination to resist this unprovoked aggression; and, when the situation of Sweden, and the known valour of the Swedes was considered, there was good reason to hope that the resistance would be effectual. The death of the King of Denmark, who died suddenly on the 18th of March, occasioned no alteration in affairs; he had long been in a state of idiotcy; and the Crown Prince, who now succeeded him, by the name of Frederick VI., acquired only the regal title, having, for many years, exercised the regal authority. French troops were at this time pouring into Holstein. Ten thousand Spaniards, under the Marquis de la Romana, were following them from Hamburgh;—Bernadotte was directing their operations; and it was expected that the Danes, with these allies, would make a descent upon Sweden. But Buonaparte had other views in marching the Spaniards to the Baltic, and the war with Sweden was, to him, a matter no otherwise important, than as it served to divert the attention, and waste the strength, of the Northern powers. The people of Hamburgh experienced, at this time, another instance of the insolence of military despotism. The French Commandant, in that city, ordered the gates to be shut on Easter-Tuesday, at an earlier hour than usual, under pretence of preventing holiday excesses. In consequence of this, a number of inhabitants were shut out. They demand-

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ed entrance, which was refused. The people within the town became clamorous to have the gates opened; and, at length, began to pelt the soldiers, who then fired upon them; some were killed, and many wounded. The confusion was increased by the breaking out of an accidental fire, and the ringing the alarm-bell in consequence. The military soon quelled this disturbance, which their own conduct had provoked. More troops, however, were sent for to overawe the people; and, on the following day, the Commandant issued a proclamation, enacting, that, if any person threw a stone at a French soldier, he should be tried by a military commission, and put to death; that, if four or more persons were found talking together, the French soldiers, on duty, were to require them to separate, and fire upon them unless they obeyed; and that, if any person sounded the alarm-bell, without instructions from the French, he should be shot upon the spot. Such was the miserable state of slavery to which the city of Hamburgh was reduced, while its freedom and independence were still nominally acknowledged. Altona was treated with as little respect. The Danish guard refused admittance to the Spanish troops; and the President of the Senate protested, that he had no instructions from his sovereign to receive them; they, however, pursuant to the French orders which had been given them, entered with fixed bayonets, and quartered themselves upon the inhabitants.

Little alarm seems to have been excited at Stockholm, by the preparations on this side of the Baltic. Gustavus indeed was dreaming of conquests; and marched an army under Baron Armfeldt into Norway, when all his efforts should have been directed to the defence of Finland. That service was entrusted to Count Klingspor, a man who acquired far more honour in an unsuccessful campaign, than the victorious General who was opposed to him. For, though unable to stop the progress of an army greatly superior in numbers to his own, assisted by French engineers, and led by Swedish traitors, who were well acquainted with the country, he effected his retreat in the face of the enemy, for more than 400 English miles, repeatedly fighting as he went, yet always avoiding a general engagement; he made no attempt to impede his pursuers, by laying waste the land which he was endeavouring to defend, and he brought off with him the whole of his magazines, artillery, baggage, and stores. His men partook the spirit of their General—not a desertion took place—not a murmur was heard among them. The Russians had expected that he would have no resource left;—the Gulf was impassable, on account of floating ice; and if he attempted to march by Tornea, along the dreary coast of East Bothnia, his troops must perish with hunger,—he would, therefore, they concluded, have no alternative but to surrender. But their attempt to surround him totally failed, and he effected a junction with another detachment under Count Cronstedt, which enabled him to make a stand, at a time when the Russians ceased the pursuit, and collected their forces at Wasa. Meantime, in another quarter, they were making conquests more easily than by the sword. Sweaborg, a place so strong as to have been called the Gibraltar of the North,

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after a defence not sufficient to furnish cowardice or corruption with a decent plea for surrendering it, was yielded by its Governor, Admiral Cronstedt, with the whole flotilla in its harbour, consisting of above 300 gun-boats and transports;—an absurd stipulation being inserted in the convention, that this was to be restored to Sweden, after the conclusion of peace, in case England should restore the Danish fleet. Gustavus immediately dismissed Cronstedt with ignominy from the service, and all the officers of rank acting with him, who had not protested against the surrender. A heavier and condigner punishment would probably have been inflicted, had the culprit been within reach of justice. The Russians now pushed over to Gothland, and obtained possession of that island. But there fortune seemed to turn,—Gothland was recovered, and all the enemy who had landed there were made prisoners. Buxhovden retreated for want of provisions, and Klingspor pursuing, twice engaged and defeated him; but the Swedish troops were too inferior in number to follow up the favourable opportunity which thus presented itself in vain.

No race of princes, except the Plantagenets, have possessed so much genius as the royal family of Sweden; but there has been a leaven of insanity mingled with it, which manifested itself in Christina and in Charles the XII., and of which some indications appeared in Gustavus. Neither calculating his own strength, nor that of his adversaries,—he suffered Finland to fall, while he was idly attempting the conquest of Norway. General Armfeldt, on invading that country, issued a proclamation, saying, that the Danish Government had declared war against Sweden, without cause or provocation, and had spontaneously submitted to a foreign yoke; the Swedes, therefore, entered Norway according to the laws of war. Their object was not to injure the Norwegians, but to open their ports, quicken their industry, and secure, in the North, an asylum for loyalty and honour. It is not from an invading army that a brave and honourable people will accept of commercial privileges, and the bonuses of trade. A report prevailed, that they offered to withdraw their allegiance from Denmark, remain neutral, and open their ports, as usual, to British ships, protesting, that they would never submit to Sweden,—though they desired to be at peace with her;—that this proposal was made to Sir John Moore and Admiral Keates, by a deputation from the Norwegian nobility; but that they had no authority to negociate such an arrangement. Ten thousand English troops, under the first of these distinguished officers, had been sent to the assistance of our ally; they arrived at Gottenburgh on the 17th of May;—it was intimated that they were not to land there; and Sir John Moore, suppressing his resentment, repaired to Stockholm, to communicate his orders, and concert measures with the King. It has seldom been the fate of an English expedition to be dispatched too soon. In this instance, however, it appears that no previous plan had been arranged with Gustavus, and that ministers, in their admiration for the noble spirit of that monarch, had overlooked the defects of his character. His first proposal to Sir John Moore, was, that the troops should remain in their ships till some Swedish regiments were

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collected at Gottenburgh; and that, then, the combined forces should land and conquer Zealand.---A regular army, far superior to any that could possibly have been collected, was assembled in Zealand; there are several strong fortresses in that island; and the French and Spaniards, in the Isle of Funen, could not have been hindered from crossing over in small bodies. Our General, with his characteristic mildness, respectfully represented that these difficulties were too great to be surmounted by the bravest troops. Gustavus then proposed, that the British should land in Russian Finland, storm a fortress, and take a position there. This would have been to expose ten thousand Englishmen to the principal forces of the Russian empire. Notwithstanding the respectful manner, and gentle nature of Sir John Moore, the violence of the King's temper broke forth, and he actually arrested the British General. Sir John, however, found means to escape---hastened to Gottenburgh, and brought back his army to England.

Some apprehensions were entertained that the King of Sweden would take advantage of this dispute, to make his peace with France, and purchase the forbearance of Russia, by shutting his ports against England, even if resentment did not hurry him into hostilities against us. But they who reasoned thus wronged Gustavus by their suspicions. There was a want of sanity in his conduct, which proceeded from the disease of his nature,---but there was in him a sense of honour, and an unyielding spirit, not unworthy of his illustrious ancestry. His own imprudence had now bereft him of that support which ten thousand British troops would have afforded; a force sufficient to have turned the tide of war in Finland,—and he was left to his own resources. The imprudence of his plan of operations was soon manifested. The Norwegians, who having been unexpectedly attacked, had, at first, made little or no resistance to the invaders---soon rallied. They were disciplined, it is said, by some Prussian officers, who had been made prisoners at Lubeck with General Blucher, a veteran, whose activity, enterprise, and courage, deserved to have been better supported. These officers had entered into the Danish service. The Norwegians are a brave people, and their country strong and easily defended; Armfeldt, therefore, when they made head against him, was compelled to retreat as rapidly as he had advanced, and was driven out of Norway with considerable loss.

While part of the Swedish army was thus miserably misemployed, Klingspor was unable to take advantage of the distress of the Russians, and their temporary weakness, and they were soon re-inforced in such numbers, that he was no longer able to withstand them. Their Admiral, Bodisco, during the short time that he was in possession of the Isle of Gothland, had honourably distinguished himself by the strict order which he enforced, and by his humanity towards the inhabitants. A different conduct was pursued in Finland. That country had been the happiest in the whole north of Europe, while all other nations of the same race suffer under the most brutal and brutalizing tyranny. While the Esthonian mother weeps over her infants, because slavery and wretchedness are their only inherit-

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ance, while the Livonian nobles send their young greyhounds to be suckled by the female peasantry, the Swedish Finlanders were free, and enjoyed the produce of their labour in peace and comfort. Gustavus alluded to this contrast in his declaration against Russia. "Inhabitants of Finland," he said, "a people worthy of esteem, your King has, during the whole of his reign, attended to your instruction, and to the cultivation and prosperity of your country. A faithless neighbour threatens to hurl you back to the state which you were in, in ages past, because your neighbourhood is a reproach to him." Well might Gustavus thus address them. There had been an increase of 60,000 in the population of this province during the last twenty years; and Seume, a traveller, whose judgment is as sound as his feelings are excellent, declares, the whole country was so highly cultivated, that he had seen nothing equal to it in Germany, Italy, or France, considering the difficulties which were to be surmounted. "I never," says this good man, "felt so much respect for human industry, as during my tour in Swedish Finland."

This happy country fell under the yoke of Russia. The Generals of that country resembled Suvaroff in barbarity, however unlike him in the nobler parts of his character. The town of Wasa was given up to be plundered; and while the soldiers were perpetrating every atrocity, in open day, their Generals, Kniper, Demidoff, and Emine, to whom the government of the town had been given on its capture, rode through the streets, hallooing these wretches on, and crying out—well done! at all their enormities. Many of the officers imitated the conduct of their superiors; and, when the work of havoc was over, they publicly divided the spoil with the common soldiers. The adjacent country presented only a scene of devastation and wretchedness, villages in ashes, and houses, in which nothing was left but such of their miserable inhabitants as had escaped death or captivity,—happy, even then, if they were not mangled or dishonoured. General Rajewski repressed these horrors while he was present, expressing the utmost detestation of them; and the official account, published by the Deputy Lord Lieutenant of the province, acknowledges, that some few of the soldiers, and even of the officers, without regard to their own danger, did all they could to protect the poor inhabitants. The officers were worse than the soldiers:—this is the case in that great empire—natural virtues are to be found in the lower ranks,—the higher ones have exchanged them for the vices of French refinement. Gustavus addressed a letter to the Emperor Alexander, conjuring him to put a stop to these horrors, which, he said, could not fail of bringing down on his own person and government, the curses of divine Providence. In consequence of this letter, Demidoff was displaced from his command, and ordered to Petersburgh.

Wasa, after it had thus been sacked, was evacuated by the Russians; but Klingspor, who had advanced beyond that town, and endeavoured to maintain a position which would cover the most fruitful part of East Bothnia, was unable to resist the increasing numbers who were brought against him. His line of operations extended from Lindalax and Omyss

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to Lappfjerd, eight and twenty Swedish miles. The corps at Lindulax was driven back; and the Russians, after having been repulsed on three successive days, succeeded in cutting off the communication between Lappo and Lappfjerd. This latter post was now threatened, and Klingspor was compelled to retreat. He effected his retreat, as he had on the former occasion, with the greatest skill and courage, still facing a superior enemy, and bringing off all his baggage and artillery. An armistice, for an unlimited time, was concluded between the two armies at the end of September. It left each party in possession of the country which it occupied; but the Russians were soon strong enough to resume offensive operations,—and a second armistice, signed on the 20th of November, virtually surrendered Finland to Russia. The Swedes were to evacuate all their posts there, and retire beyond the river Keims, the limit of the province.

During this campaign many unimportant actions took place between the flotillas of the contending powers, and our trade in the Baltic received considerable injury from the Danish gun-boats. The honour of the British flag was, however, gallantly supported by that distinguished officer Sir Samuel Hood, who, having joined the Swedish Admiral, Nauckhoff, with the Centaur and Implacable, two seventy-fours, sailed in quest of the Russian fleet, August 25th. Next morning the enemy were discovered off Hango Udd. All sail was set in pursuit. The British ships outsailed their allies; and, about five o'clock on the following morning, the Implacable brought the Sewolod, of 74 guns, which was the leewardmost of the enemy's line of battle ships, to close action. The Russian Admiral immediately bore up with his whole force. In the course of twenty minutes the Sewolod was completely silenced, and her colours, both Ensign and Pendant, struck: but Sir Samuel was obliged to make signal for the Implacable to join him. The Russian Admiral sent a frigate to take the disabled ship in tow, and again hauled his wind. As soon as the Implacable was ready to make sail, Sir Samuel gave chace again, and soon obliged the frigate to cast off her tow. This made the Russian again bear down with his main force, and it was hoped that a general action would be brought on, but the enemy availed themselves of a favourable slant of wind, and entered the port of Rogerswick.

The Sewolod, which had fallen to leeward, grounded on a shoal just at the entrance of the port; she soon, however, rode at anchor—exertions were made to repair her damage,—a hundred men from the other ships were sent on board to replace her loss in the action, and, at sun-set, boats came out to tow her in. Upon this, Sir Samuel stood in with the Centaur to cut her off. She was just entering the port when he laid her on board.---Her bowsprit took the Centaur's fore-rigging, and she swept along with her bow, grazing the muzzles of the British guns. When the bowsprit came to the mizen it was lashed there. Sir Samuel now attempted to tow her out,—but an anchor had been let go from her. A severe contest of about half an hour ensued, when the Russians, after losing in this second conflict 180 men, struck. The Centaur and her prize now grounded, and two of the enemy's

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ships were seen under sail standing towards them; but Captain Martin, in the Implacable, anchored his ship so as to heave the Centaur off, and they then retreated. The prize was fast on shore, and Sir Samuel, finding it impossible to bring her off, burnt her. Hopes were entertained in England, when this intelligence arrived, that the Russian fleet might be destroyed; but the harbour was strongly fortified. They landed their men and erected more batteries, and it was found impossible to make any attempt upon them.

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CHAPTER XI.

Capture of Scylla by the French. Treaty with Sicily. Capri taken. Parma, Placentia, and Tuscany, incorporated with France. Conduct of the Pope. His Territories united to the Kingdom of Italy. Bennonists expelled from Poland. Buonaparte creates a New Nobility.

The Castle of Scylla, in Calabria, which was held by an English garrison, under Lieutenant-Colonel Robertson, was taken by the French General Regnier, early in the year. The arrival of troops and ordinance stores at Seminara, towards the end of December, manifested an intention of besieging this place. Parties of peasantry were, therefore, sent out to render the passes of Solano impracticable, and break up the various paths which lead from the heights of Milia down to Scylla; but, on the 31st, the advanced workmen, and the out-posts of the armed peasantry, were driven in by a detachment of cavalry and three battalions, and the enemy took post upon the heights above the town. On the first day of the new year, Regnier brought up two more battalions, extended his out-posts, and completed the investment of the place.

The town of Scylla lies partly upon the shore, but the greater part is on the rocks above, where nine rows of houses are seen, one immediately above the other; and above the highest of these, in an oblique direction, there are still six or seven other rows. The castle is upon a cliff over the sea; but, notwithstanding the advantages of its situation, it is not strong.

There were between four and five hundred armed Calabrians in the town, and about two hundred British soldiers in the castle. The besieging force consisted of about six thousand men, who were now incessantly employed in forming roads, to bring his heavy ordinance from Seminara; the besieged labouring, on their part, to render the approach difficult, and to harass the French out-posts. The month of January was past in these preparations, when four Sicilian gun-boats, each carrying a four-and-twenty pounder, were taken by the enemy; and thus all the endeavours which had been used to prevent him from bringing battering cannon into that part of Calabria were frustrated. The Delight sloop of war, in endeavouring to recover them, got on shore;—several of her crew were killed, and the remainder made prisoners. In this unfortunate affair, Captain Hanfield, her commander, fell,—a man of such professional and

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individual worth, that his death was a greater misfortune than the loss of Scylla and its castle. The sloop was burnt the next day by our boats, it being impossible to get her off. The French were now enabled to bring five 24-pounders, five 18-pounders, and four mortars, besides field-pieces, against the works. They came down from the heights on the sixth of February, and made their approaches in form. The armed peasantry opposed them with great spirit for three days; they were then obliged to yield to superior numbers, but the castle guns covered their retreat, and they were sent to Messina, not a man falling into the enemy's hands. On the 14th the batteries opened;—in three days the guns of the castle were buried under the ruins of the parapet, and the garrison could only defend themselves with musketry. Two breaching batteries had now been erected, at three and four hundred yards distance; and, by the evening of the 16th, they had battered the left bastion with such success, that, in the course of the following day, the breach would have been practicable. From the time the batteries opened, the weather had been so stormy that the gun-boats, from which much assistance had been expected, could not possibly be employed.

The situation of the castle being made known, by telegraph, to General Sherbrooke, who commanded in Sicily, boats were sent over from the Faros, during a temporary abatement of the gale, to bring off the garrison. Aware of this means of retreat, the enemy, on the 15th, had pushed round the front of the rock, and attempted to destroy the sea stair-case, but they were discovered, and beat off with great slaughter. By this stair-case, the British effected their way to the boats through a tremendous fire; they embarked without leaving a man behind them; and, before they were musket-shot distant, the French were in the fort, which they found only a heap of ruins. They purchased their success by the loss of several hundred men; on the part of the garrison, 11 were killed, and 31 wounded.

A few weeks after this event, a Treaty* of Alliance with Sicily was signed by our Envoy at Palermo. It stipulated, that the King of the two Sicilies should grant an exemption from all the duties belonging to him, upon every thing which the British troops in Sicily, and the British squadrons in the Mediterranean, might stand in need of, and which the country could supply, in provisions, and military and naval stores,—on condition, however, that the ships at Malta should be furnished with a requisition from the Governor of that island, specifying the articles and the quantity required. His Britannic Majesty, in return, engaged to defend the fortresses of Messina and Augusta, during the war; and to maintain there, at his charge and expence, ten thousand troops, who were to be augmented, if necessary. He engaged, also, to pay his Sicilian Majesty an annual subsidy of 300,000l. in monthly payments, commencing from the 10th September, 1805, when the Russian and British troops landed in the Neapolitan territory, payment being always made one month in advance; the money to be employed

* Appendix, No. XIII.

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by his Sicilian Majesty for the use of his marines and land forces, and a quarterly account thereof given to the British Government. A Treaty of Commerce was to be concluded as soon as possible. His Sicilian Majesty engaged not to make peace with France separate from England; and his Britannic Majesty, on his part, also engaged not to make peace, without comprehending and saving in it the interests of his Sicilian Majesty.

June 13. A short conversation took place in the House of Commons, when a grant of 300,000l. was moved for to enable the King to fulfill the engagements of this treaty. It was asked why this subsidy had been paid so long before it was communicated to Parliament, and why the fort of Molazzo was not to be put into our hands, as well as the two others, that being more directly in the line of the place, which an enemy from the opposite coast could soonest reach. Mr Canning replied, we were to have the controul over this likewise, but that the provision respecting the two was adopted with a view to the troops we could furnish. The delay in executing the treaty was explained, as having been occasioned by changes of administration, and by the necessity of sending and of altering one of the articles to which Mr Drummond had agreed, and which would have bound us to restore Naples to the King of Sicily at a peace. Mr Bankes thought the Treaty of Commerce ought to have accompanied this convention, and censured the practice of thus granting money, without having the matter laid regularly before parliament. It was admitted by the Treasury Bench, that the thing had not been done in the most regular way, and the resolution was then agreed to without opposition.

Respectable as our force was in Sicily, the French obtained a signal advantage over us, by conquering the isle of Capri, a place strong in itself, and of great importance to the coasting trade of Naples. A fleet of 60 transports, convoyed by a frigate, a corvette, and 26 gun-boats, sailed from that city at three o'clock, on the morning of the 4th of October. General Lamarque had the command, and Prince Pignatelli under him. The preparations had been carried on with such secrecy, that the attack was altogether unexpected; after a rapid passage they effected their landing, and proceeded to storm the heights of Anacapri, which command the island and all its forts. This fort had been left to a Maltese regiment. These men, of whom four-fifths were married, would have been excellent soldiers on their own island, where they had originally been raised as two militia regiments, and officered by their own nobility. It was, however, thought proper to unite them into one large regiment, under English officers, contrary to their own entreaties, and to the judgment of Sir Alexander Ball; they were sent to serve where they had no interest at heart, and the consequence was, that, in the hour of trial, they laid down their arms almost without resistance. The French thus possessed themselves of the heights, and shortly afterwards compelled the English garrison to surrender as prisoners of war, who were to be transported to England, and not serve until exchanged.

Buonaparte, mean time, was steadily pursuing the plans of his restless

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and insatiable ambition. His first act was, by the Conservatory Senate, to call out 80,000 conscripts, born within the year 1789, and who, according to his own laws, always nugatory when they relate to the protection of the people, should have belonged to the conscription of the ensuing year. By a decree of the same date, the towns of Kehl, Wesel, Cassel, and Flushing, were united to the French empire. The kingdom of Etruria, which he himself had created for one of his puppet kings, was no longer to exist,—it was now incorporated as an inseparable indivisible portion of the French empire, and one usurpation was made a precedent for another. The same first principles, it was said, in consequence of which Genoa was incorporated with France, rather than with the kingdom of Italy, required this measure; and from Leghorn to Toulon, to Genoa, to Corsica, was not farther than to Milan. It is in vain that objections are made to the great extension of the empire; the communication by land, now that neither the Alps nor Appennines oppose us, is as easy from Leghorn to Paris, as from Paris to Nice. The port of Leghorn had given constant reasons of complaint to France. Appertaining to a territory governed by a weak prince, it had fallen under the influence of England, and become one of the principal inlets of her commerce. It became necessary for French troops occasionally to enter that city, and confiscate the English merchandize there. These violations of territory, said the official declaration, however necessary, are always disagreeable, and, since Leghorn cannot be under the influence of France and England at the same time, it must become a part of France. Another reason assigned was, that Tuscany produced ships and sailors. The commerce of the Mediterranean, whatever might be the opposition of the tyrants of the sea, was necessarily to be subject to France, and, therefore, the whole coast of that sea must form a part of the French territority. "The sons of the Arno," said M. Semonville, speaking in the name of the commission of the senate, "are invited to glory, the Emperor having decreed that Spezzia shall become a second Toulon. The arsenal, the docks, and forts, both on the sea and land side, are already marked out; and, before the end of the year, six ships of the line shall be put upon the stocks."

Jan. 23.

May 21.

The principle, that power constitutes right, upon which France has always acted, had never before been so openly proclaimed as in this declaration. "It has been the policy," it said, "of European states to subdue the most distant countries, in order to obtain new commercial and maritime resources; why then were resources and acquisitions to be neglected which lay at hand? Tuscany, under the sway of its little princes, was governed without system and without vigour, and was perpetually infested by the Barbary pirates. But men were no longer to be governed in a capricious and fantastic manner; the time had passed away in which it was believed that people were made for kings, and not kings for people. Lands, pastures, and forests might become property, but no person could possess a kingdom as if it were a farm." The name of Etruria was dropt in this declaration, but it would not be the less remembered

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that Buonaparte had disposed of this very kingdom, as if it were a farm, to the Prince of Parma, dispossessing its former lord, the best and most beloved of the princes of Italy;—and that he was now ejecting his own tenant to take it into his own hands. A junta, with General Menou at its head (the Abdalla Menou of the Egyptian expedition), was appointed to govern these new departments of the Arno, the Mediterranean, and the Ombrona, as the states of Tuscany were now divided. They issued a proclamation in the true French style, which was placarded over the country. "Tuscans!" it said, "the Emperor and King has been pleased to confer upon you the honour of being adopted into the great family, and of uniting yourselves to the destiny of the Empire formed by his genius. Napoleon the Great adopts you as his children, and the French salute you by the name of brothers.—You will now be happy. You will receive a code of laws, which, being the offspring of wisdom, and the experience of ages, secures the right of property and the stability of families.—Your agriculture and industry will flourish. You will restore to Tuscany, the Athens of Italy, the native country of Dante, Galileo, and Michel Angelo, that splendour which the fine literature, fine arts and sciences of which it was the cradle in modern Europe, formerly conferred upon it. Already, not less than ourselves, you esteem, love, and admire our illustrious emperor. Tuscans! you are a good, a virtuous, and a loyal people. The Emperor knows and esteems you. Place your whole confidence in him. Let violent men of all parties become silent, and forego their absurd expectations. Let the brave, the wise, and the impartial unite, and, as in all other parts of France, possess one soul and heart. It is by such conduct that you will make yourselves worthy of being the children of Napoleon." Such were the professions of men who came to subject the happiest people in Italy to the conscription laws! The prelates of Tuscany were called upon by the new governors to preach obedience to their flocks; and the archbishop of Florence circulated a pastoral letter, in which, after reprehending those as forgetful of the most sacred Christian duties, who had dared to take the liberty of censuring the government, he added, "the true Christian is the enemy of no man, much less of the Emperor; for he is aware that his Majesty holds his appointment from God, and that he must love and honour him, and offer up his prayers for his preservation."

The same decree incorporated the dukedoms of Parma and Placentia, under the title of the Department of the Taro. The Pope had long foreseen that his dominions would, in like manner, be usurped, and though he had been made by France, and had crowned the Corsican at Paris, yet, when the rights of the papacy were menaced, he *Feb. 2.* demeaned himself with a dignity which had not been looked for. "Unable," he said, "to conform to all the demands made on him by the French government, because they were contrary to his sacred duties, and to the dictates of his conscience, and being thus compelled to submit to the disastrous consequences which had been threatened,—yielding, in all humility of heart, to the inscrutable determinations of

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the Most High, he placed his cause in the hands of the Almighty, and solemnly protested, in his own name, and in that of his successors, against any occupation whatever of his dominions; being desirous that the rights of the Holy Chair should remain, now and henceforward, uninjured and untouched." Soon after the publication of this protest, French troops were marched to Rome under pretext of freeing that city from the Neapolitans; they seized those cardinals who were attached to the Pope, and forcibly carried them from the palace of the Quirinal as prisoners; took possession of the post-offices, for the purpose of examining all correspondence; incorporated the Papal troops into their own army; and set guards upon all the printing-offices, that the Pope might not avail himself of the press. The appearance of respect towards the Pope himself,

April 7. who was now a prisoner in his own palace, was not long observed. A French detachment burst through the gates at six in the morning, and arrested the Swiss guards, who would not consent to receive their orders in future from the French general. Against each of these acts the Pope continued to protest. "The violence," he said, "committed against the cardinals, who were natives of the kingdom of Naples, never would have been believed, if it had not been repeated against those who were born in the kingdom of Italy, and in the countries united with France. The Holy Father could not be ignorant that it was intended not only to deprive him of his temporal authority, but also to destroy the spiritual government of the Church of Rome, represented by the Sacred College, which is the Senate of the Sovereign Pontiff. He had seen, with horror and surprise, those principles and maxims which break the most sacred bands by which the cardinals are united to the Pope, preceded and followed as they had been by all the enormities to which the head of the church had been exposed. Examples of such enormities were only to be found in the time of the French republic. But to this indignity, and to all these outrages, he only opposed patience, and, during the time such treatment might continue, that meekness of which his Heavenly Father had left him an example. His long imprisonment, and the injustice which he had experienced, made him a spectacle to men and angels. He awaited with resignation, but with an unshaken firmness in his principles, all that violence could attempt against the head of the Catholic church, well assured that any humiliation he might receive would tend to the glory of religion at last." A few militia and guards had yet been left him, overlooked perhaps by the French commander. He ordered these to wear a new cockade, for the alledged purpose of showing the world, that he no longer recognised those troops as his own, who were under the command of the French: —whatever were the motives for the order, its effects were prevented by the French commander, who adopted the same cockade for all the incorporated troops. Buonaparte, however, considered it as the intended signal of a union against him, and, as such, it was stigmatized, in the order of the day, which was published and posted in every quarter of Rome, and through the provinces. Such a signal it would probably have been, had there been any hope of

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resisting his power; there is zeal enough in Italy, but the moment when that zeal might advantageously have been called into action was gone by.

To the repeated remonstrances of Pius VII. through Cardinal Caprara, an answer was returned by M. de Champagny. "The Emperor," he was commanded to reply, "could not recognise the principle, that prelates are not the subjects of the sovereign, under whose authority they were born. The proposal, from which he never would depart was, that all Italy, Rome, Naples, and Milan should enter into an offensive and defensive treaty, for the purpose of removing commotions and hostilities from the peninsula. If the Holy Father accede to this proposal, every thing is settled: if he refuse it, he announces by such a determination that he wishes for no arrangement, no peace with the emperor, and that he is at war with him. The first consequence of war is conquest, and the result of conquest is change of government: for, if the Emperor is under the necessity of going to war with Rome, is he not also under the necessity of conquering it, of changing the government, of establishing another which shall make common cause against the common enemy with the kingdom of Naples? What other guarantee could he have for the tranquillity and security of Italy, if these two kingdoms were separated by a state, in which their enemies would be certain of meeting a cordial reception?—These alterations, become necessary if the Holy Father persists in his refusal, will take away from him none of his spiritual rights. He will continue bishop of Rome, as his predecessors were during the eight first ages, and under Charlemagne. It will, however, be a subject of grief to his Majesty, to see the work of genius, of political wisdom, and of understanding, destroyed by imprudence, obstinacy, and blindness."

The Pope, in one of his notes, announced the cessation of the powers of his legate at Paris. Buonaparte took advantage, in his reply, of the season at which this cessation took place. It was notified, said Mons. Champagny, against the ordinary forms and usages, at the eve of holy week, at a time when the court of Rome, if it were still animated by a true evangelical spirit, would feel it its duty to multiply spiritual succours, and to preach, by its example, union amongst the faithful. But, be it as it may, the Holy Father having withdrawn his powers from his eminence, the Emperor no longer acknowledges him as legate. The French church resumes the full integrity of its doctrine. Its knowledge, its piety, will continue to preserve in France the Catholic religion, which the Emperor will always consider it his glory to defend, and cause to be respected.—Cardinal Caprara had also been instructed to demand his passports as ambassador. "His Majesty," said the French minister, "sees with regret this formal demand of passports, which the practice of modern times regards as a real declaration of war. Rome is then at war with France, and in this state of affairs, his Majesty is obliged to issue the orders which the tranquillity of Italy renders necessary. The resolution to produce this rupture has been chosen by the court of Rome at a time when it believes that its arms are powerful enough to

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show that it may have recourse to other extremities, but their effects will be checked by the illumination of the age. Temporal and spiritual authority are no longer confounded. The royal dignity consecrated by God himself is above any attack."

A long memorial to M. Champagny's note was presented in reply. "His holiness," it stated, "had seen with pain, that even the final proposition of the offensive and defensive league, should be accompanied with the threat of depriving him of his temporal dominions in case of his non-compliance. If worldly considerations had at all influenced the conduct of the Holy Father, he would, from the first, have yielded to the wish of his Majesty, and not have exposed himself to suffer so many calamities: but the Holy Father is regulated alone by the consideration due to his duty and his conscience; both have prevented him from agreeing to the federation, and they equally hinder him from consenting to the offensive and defensive league, which differs but in name; its nature does not except any prince, to whom the Pope, according to the circumstances of the times, might not become an enemy. The federation was proposed as alone against heretics and the English. But this is couched in general terms, pointing out no people as an enemy, yet excluding no government, no nation, from the contingency of becoming one. If, then, his holiness declined, from conscientious motives, to be a party to that federation, so is he equally withheld from this league. The Holy Father would not merely bind himself to a defence, but to an aggression. Then would be seen the minister of the God of peace placing himself in a state of perpetual warfare; then would be seen their common father in arms against his children, and the head of the church exposing himself, by his own act, to a deprivation of his spiritual connection with the catholics of those powers against which the league would make it imperative on him to act hostilely. His Holiness, unlike other princes, is invested with a two-fold character, namely, of sovereign pontiff, and of temporal sovereign, and has given repeated evidence that he cannot, by virtue of this second qualification, enter upon engagements which would lead to results militating against his first and most important office, and injuring the religion of which he is the head, the propagator, and the avenger. His Holiness, therefore, cannot enter into any offensive and defensive league, which would, by a permanent and progressive system, drag him into hostility against all those powers upon which his Majesty may think proper to make war; since the Italian States, now dependent upon his Majesty, can never avoid taking part in such wars. His Holiness would consequently be obliged to become a party in them by virtue of this league. Such an engagement must begin to be acted upon by the Pope from this moment, and against any Catholic prince; thus waging war against him without a motive. Farther, it must be waged against all those powers, whether catholic or not, who may, upon whatever grounds, be the enemies of any Italian prince. This engagement is too repugnant

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to the sacred duties of his holiness, and too injurious to the interests of religion, to be entered into by the head of that religion. How could it ever be supposed, that his holiness should be capable of declaring war against any power? He has long been enduring the most hostile treatment, and is therefore prepared to endure the threatened loss of his temporal dominions.——Heaven is witness of the purity of his intentions.—What can Italy have to fear, if his Holiness should not enter into the proposed league?—Surrounded as the papal dominions are by those of his Majesty, no rational fear could be entertained but of the ports; yet his Holiness having offered to shut them, during the present war, against the enemies of France, and to guard the coast, he thus proposed to contribute, as far as was in his power, without betraying his sacred duties, to the security and tranquillity of Italy. If, in spite of all this, his Majesty shall take possession, as he has threatened, of the papal dominions, respected by all, even the most powerful monarchies, during a space of ten centuries and upwards, and shall overturn the government, his Holiness will be unable to prevent this spoliation, and can only, in bitter affliction of heart, lament the evil which his Majesty will commit in the sight of God; trusting in whose protection he will remain in perfect tranquillity, enjoying the consciousness of not having brought on this disaster by imprudence, or by obstinacy, but to preserve the independence of that sovereignty which he ought to transmit, uninjured, to his successors, as he received it. For this fidelity to his sacred duties, his Holiness will receive consolation from the words of his Divine Master—"Blessed are they who are persecuted for righteousness sake." With respect to the dismissal of the cardinals, his Holiness had no need of examining the principle of their allegiance. Presuming on that freedom which the rights of nations allow to every man, to live under that sky which is most congenial to him; presuming on that new allegiance acquired by the domicile of many years, his Holiness remarks, that primitive allegiance cannot avail against the sacred obligations undertaken by the cardinals in the church of God, the oaths they take on receiving the purple, and their eminent office of counsellors to the Sovereign Pontiff in his spiritual concerns; and that therefore they cannot be torn from his bosom.—With regard to the cessation of the functions of the legate, and to his departure, his Holiness could hardly have expected that they would have been attributed to the motives assigned in M. Champagny's note. His Holiness will repeat them once more. After having tried every method to recall his Majesty to his previous sentiments towards the papal see, and to concert the desired reparation of so many religious innovations; after having endured, for such a length of time, with unsubdued patience, and with unalterable meekness, so many outrages and insults; after having seen how fruitless were all the remonstrances urged against the hostile proceedings of the French; after having peaceably borne the humiliation of imprisonment; and seeing these insults, these contempts, these violations, increase with every hour, his holiness found it necessary, though with the deepest regret,

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to determine on the recall of his legate, in order to overthrow, at least, in the face of the world, the false and scandalous opinion, that, whatever might occur, even the most flagrant wrongs, would receive his tacit consent.—In this very recall, the precise period of which could not have been anticipated by his holiness, he professed, along with those constant affectionate regards which he entertained for his Majesty, that could he but consent to the demand of the evacuation of Rome, and be satisfied with those concessions which are compatible with the duties of his Holiness, the legate might continue, in conformity with his instructions, to exercise his functions.—But his Majesty proved inflexible, and, instead of receding a single step, preferred the discontinuance of the legation, and the departure of the pontifical representative.—It is not, therefore, his Holiness who, by this hypothetical recall of his legate, has declared war against the Emperor; it is the Emperor who chooses to declare war against his Holiness; and, not content with declaring it against his temporal sovereignty, he threatens to raise in his spiritual, a wall of division between the Catholics of France and the sovereign Pontiff, in the assurance, according to M. Champagny's note, that the cardinal legate having given up his functions, the Gallican church resumed its doctrine in all its integrity.—His Holiness has too good an opinion of the illustrious clergy of France to doubt that the Gallican church, however jealous of its prerogatives, is yet so attached to the chair of St Peter, that it will maintain itself unshaken in its true principles, without asserting rights, which it does not and cannot possess; nor become schismatic, by separating itself from the catholic unity.—It is not then—the repetition is important—it is not his Holiness who seeks the rupture. A pacific prince, notwithstanding he was obliged to witness the spoliation, in defiance of all right, of his states of Benevento and Ponte Corvo; notwithstanding his enormous expence of maintaining French troops; notwithstanding the usurpation of his capital, the usurpation of almost all his sovereign rights; notwithstanding the violent dismissal of so many spiritual persons, composing his holy senate; and notwithstanding all the other acts, by which his dignity has been degraded, all that his Holiness did was to command his people when the French army entered Rome, to show it respect; all that his Holiness did was to receive it in the most hospitable manner, and implore of his Majesty, in the mean time, relief from so many aggravated evils; and all that his Holiness now does in this extremity is, to mourn between the vestibule and the altar, invoking the pity of Heaven upon his people, and that, by a return to better counsels, the most potent Emperor Napoleon will not suffer the inheritance of the Roman see, given by Providence to the head of the Catholic Church in full enjoyment, to be lost and rooted out.—Thus has his Holiness made war! Thus has he conducted himself to the present hour towards his Majesty, however distressing and unfortunate has been the result. If, by the hidden purposes of the Most High, his majesty, regardless of his own glory, and deaf to the calls of justice, should put his threats in execution, and take pos-

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session of the states of the church by right of conquest, overturning the government in consequence, his Holiness will be unable to remedy such fatal occurrences, but he solemnly declares, that the first will not be a conquest, as his Holiness is in peace with all the world, but will be an usurpation more violent than history can furnish; and the second will not be the result of conquest, but of that usurpation. He declares, at the same time, that it will not be the work of political genius and illumination, but an awful visitation of that God from whom all sovereignty is derived, and especially that given to the head of the church.—Bowing, in that event, with profound adoration to the decrees of Heaven, his Holiness will find consolation in reflecting that the Creator and Redeemer willed these things, and that all concurs to accomplish his purposes when his appointed time arrives."

This memorial is in a high degree honourable to Pius VII. the feeling which actuated him being evidently a determination not to concur in that usurpation of Spain, which it was now apparent that Buonaparte had resolved on, and in which it was generally supposed he would meet with no resistance. The consequences of his conduct were as he had foreseen.

May 11. Buonaparte sent forth a decree from Ancona, to incorporate the papal territories with the kingdom of Italy, "considering," he said, "that the present sovereign of Rome had constantly refused to declare war against the English, and to co-operate with the kingdom of Italy and Naples for the protection of the Italian peninsula; that the interest of the two kingdoms, and their relative situation, required that their communication should not be interrupted by any hostile power; and that the gift of the lands which compose the ecclesiastical states was made by Charlemagne (whom the Corsican called his illustrious predecessor,) for the benefit of Christendom, but not for the succour of the enemies of our holy religion."

Soon after the temporal power of the papacy had been thus destroyed, a fraternity, called the Bennonists, were banished from Poland, on the vague charge *June* 20. of holding an unlawful correspondence with all states, and particularly with the enemies of France and of that country. It was said that, before the peace of Tilsit, they had been the agents of a dangerous conspiracy; that they had their spies in every family: that they were collecting money; and that among their papers were found letters from England, inviting them, if their order should be dissolved, to establish themselves in Canada.—What the political views of these people were, what their religious tenets, and in what manner the one may have influenced the other, we have not been able to learn. They were, however, seized and transported over the frontiers, by a military escort.

There were persons who, when Buonaparte had left his Mahommedan name in Egypt, and re-established Catholicism in France, believed that, when his real character had leisure to appear, he would prove a bigoted and superstitious Catholic. The religion which had administered play-things for his childhood, offered opiates for his age, and, by

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boldly professing to reconcile him to Heaven, might succeed in reconciling him to himself. It was compatible with all state crimes, however atrocious,—with treachery,—with breach of faith,—with assassinations and massacres,—and therefore it suited Buonaparte. But though, on the throne of Charlemagne, he displays all the other features of a robber, superstition is wanting. Like Nadir Shah, the last destroyer who preceded him, he publicly attributes all his successes to the peculiar favour of Heaven; and never fails to order thanksgivings after a victory!—but here his semblance of devotion ends; nor is he sensible enough of the power of religion over the human mind, to avail himself of it for the support of his own authority. Coarser means are better suited to his nature,—by force he has won his power, and by force alone does he think of maintaining it. Hence, in all his establishments, he approaches as nearly to the feudal system as the circumstances of the age permit. His confederate kings are only so many great feudatories, who raise their quota of men more effectually by the conscription, than could have been done by the laws of vassalage. He now created a nobility; and this predilection for the feudal system was observable in the oath prescribed for them. They swore "to be faithful to the Emperor and his dynasty; to obey the constitution, laws, and institutions of the empire; to serve his Majesty as good and loyal subjects; to educate their children in the same principles of loyalty and obedience; and to march in defence of the country, as soon as its territory should be invaded, and whenever the Emperor took the field in person."

By the statutes of this new nobility, the great dignitaries of the empire were to have the title of Prince and of Serene Highness. Their eldest sons were to be Dukes of the Empire in their own right, as soon as their fathers assigned them an entail yielding an income of 200,000 francs; which title and entail were to pass to their descendants, either lineal or adopted, from male to male. The great dignitaries could assign to the eldest of two sons, an entail with the title of Count attached to it. Ministers, Senators, Counsellors of State, holding their offices for life, Presidents of the Legislative Body, and Archbishops, were made Counts; this title being also hereditary, and descending from the Archbishops to such nephews as they may choose. This nepotism, it was said, would draw the bonds still closer between the order of the priests and the great family of the state. An income of 80,000 francs is required as a qualification for this title, and it must be of such a nature, that one-third can be entailed with it. To the eldest of two sons they may assign an entail with the title of Baron. The Presidents of the Departmental Electoral Assemblies having presided during three sittings, the first Presidents and Attorneys General of the Courts of Cassation and Appeal, and the Chamber of Accounts, having exercised their functions ten years to the Emperor's satisfaction, and the Mayors of thirty-seven cities, who have the right of being present at the coronation, and in like manner have held their offices for that term, shall have the title of Baron.

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Their qualification is an income of 15,000 francs, a third to be entailed and descend with the title. The members of the Departmental Electoral Assemblies, having attended at three sittings, and demeaned themselves to the Emperor's satisfaction, might apply to the Arch-Chancellor of the Emperor to petition his Majesty that he would grant them the title of Baron also, hereditary upon the same conditions. The members of the Legion of Honour were to have the title of Knights, made hereditary, with a qualification of 3000 francs. All the entailed estates were to be unalienable. In case reasonable grounds should be assigned for alienating them, it was only to be permitted on condition that the estates should be replaced by others of the same size.

"The principal end of these provisions," said the Arch-Chancellor, when he delivered these statutes to the Senate, "has been to fix, in the projected institution, the rudiments of utility and permanence, to purify its source from corruption, and, by the establishment of Imperial titles, to eradicate the last roots of a tree which time has thrown far away, and which cannot flourish again under a Prince not less great in his intellect than his power." Thus it appears that one main object in creating this new nobility, was to supersede the old titles, which were still in use and still acknowledged by the people It was thought necessary to insert an express prohibition against them in the statutes of this new order. "We prohibit all our subjects from assuming titles of dignity which we may not have granted them, and all our civil officers, notaries, and others, from giving such titles, enforcing, as far as is necessary, all the laws made against those who violate this prohibition."

The speech of the Arch-Chancellor alluded to another party in France whose opinions concerning government Buonaparte's measures are uniformly directed to suppress. "The general sentiment concerning the advantages of nobility," said he, "was not doubtful. Were there any scruples yet to be resolved, I might appeal to the experience of ages, and to the language used by the greatest authors on political philosophy, who have considered the existence and support of hereditary distinctions, as being in some measure essential to monarchical government. The privileges which such an institution establishes, the rank which it introduces, and the fame which it proposes, are the food of honour; and this honour is at the same time the basis of that government to which the power of national character has brought us back. Laws and establishments have, like plants, their soil and their season in which they are able to take deeper root. It is in France especially that all those springs may be called into action which are moved by the love of power."——While Buonaparte thus artfully flattered the vanity of the French nation, he hinted at another part of his new project, which, however gratifying it may be to his own love of power, must ultimately be prejudicial to France. "Europe," said the Arch-Chancellor, "is covered with our trophies, and will receive with respect names to which our sovereign has graciously been pleased to add new lustre. Great models will impose great duties upon future generations; and the exertion of power which this obligation will render necessary, will be

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for France a never-failing stream of fame and prosperity. These considerations have induced the Emperor no longer to defer the benefits of an institution which unfolds all the dignity and greatness of his object."—The titles which he conferred were taken from the countries he had overrun, and the obligation imposed upon France was that of maintaining the same authority which he at that time possessed over places so remote as Ragusa and Abrantes.

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CHAP. XII.

Speculations respecting the Projects of Buonaparte. Assembly of a Sanhedrim at Paris. His Views upon the East—Upon Gibraltar. Letter from the Duke of Kent. Affairs of Spain. Conspiracy of the Escurial. Views of the Prince's Party. Secret Treaty of Fontainbleau for the Partition of Portugal. The French treacherously seize upon the Frontier Fortresses. Alarm of the Spanish Court. Tumults at Aranjuez.—And Abdication of Charles IV.

All opposition to the Corsican tyrant being at an end upon the continent of Europe, men began to enquire what would be the next object of his restless ambition. Would he execute his long-meditated designs upon the Turkish empire; parcel out Greece in tributary dukedoms, and kingdoms, and principalities, and make way again to Egypt,—not trusting his army upon the seas, but, by a safer land-journey, conquering as he went? Our misconduct towards Egypt* seemed to invite the enemy there, if he understood his real interests. The scene also which the Jews had enacted at Paris under his command, appeared to have more meaning than was avowed. It was little likely that he should have convened

* "It is painful indeed for me to add," says Lord Valentia, "that the popularity of the English name has since vanished in Egypt, from the result of our late fatal expedition to that country: that, instead of the tranquillity which Alexandria has enjoyed, it is now a prey to the extortions of the Albanians; and that our friends, the Arabs, instead of wishing for our re-appearance, are lamenting over the ruins of their habitations levelled with the ground, of their wives and parents massacred in cold blood, and of their children sold to perpetual bondage. Deep, undoubtedly, were the curses with which we were followed from that shore where we were received with acclamations, and indelible is the disgrace which has fallen upon us for having abandoned our friends to ruin and destruction;—yet the whole business has been passed over in England with indifference; and no inquiry has been instituted to ascertain to whom the blame of failure ought to attach, and on whom ought to alight the deep obloquy of having sullied the British arms, and disgraced the national character."—*Vol. III. p. 476.*

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their deputies to answer questions which he needed not have asked, or to lend their sanction to a conscription which, requiring no other sanction than that of his own merciless tyranny, sets all laws and all feelings at defiance. And though doubtless the Deputies indulged gratuitously in impious adulations, yet it was apparent, that, in some of their blasphemies, they echoed the known pretensions of the adventurer whom they addressed. In their hall of meeting, they placed the Imperial Eagle over the Ark of the Covenant, and blended the cyphers of Napoleon and of Josephine with the unutterable name of God.—This was only French flattery in Jewish costume. But when they applied to him the prophesies of Isaiah and Daniel, when they called him the "*Lord's anointed Cyrus!*" "*The living image of the Divinity!*" "*The only mortal according to God's own heart, to whom he has entrusted the fate of nations, because he alone could govern them with wisdom,*"—these things resembled the profane language of his infidel bishops, and of his own proclamations, too much to escape notice. And when they reminded him that "he had overcome, as conqueror, the ancient land of the eternal pyramids, the scene of their ancestors' captivity; that he had appeared on the banks of the once sacred Jordan, and fought in the valley of Sechem, in the plains of Palestine,"*—such expressions appeared to indicate a project for re-settling them in the Holy Land, as part of his plans respecting Egypt. Nay, as he had successively imitated Hannibal, and Alexander, and Charlemagne, just as the chance of circumstances reminded him of each, was it improbable that Mahommed might be the next object of his imitation; that he might breathe in incense till he fancied himself divine; that adulation, and success, and vanity, utterly unchecked as they were, having destroyed all moral feeling and all conscience, should affect his intellect next; and that, from being the Cyrus of the Lord, he would take the hint which his own clergy had given him, and proclaim himself the temporal Messiah? Nothing was too impious for this man—nothing too frantic;—and, alas! such was the degradation of Europe and of the world, England alone excepted, that scarcely any thing seemed to be impracticable for him.

* Transactions of the Parisian Sanhedrim, p. xiv. 11, 104, 168, 226. There are two Hebrew Odes upon the birth-day of Buonaparte in this volume. Macpherson imitated the scripture-poetry when he manufactured Ossian; and it is curious to observe, how much more these French-Hebrew Odes resemble Macpherson, than either he or they resemble the Bible.

A return is said to have been made to Buonaparte of the number of Jews at present existing. It is thus stated:—

In the Turkish empire,	1,000,000.
In the rest of Asia,	400,000.
In the west of Europe, Africa, and America,	1,600,000.
	3,000,000.

This can only be computation, but it is probably that of the best informed Jews in France.

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Another speculation was, that, in co-operation with the Russians, he would march an army through Persia to the Indies, and give a mortal blow, in Hindostan, to the prosperity and strength of England; for it was one of the preposterous notions of our times, that the power of England depended upon these foreign possessions—the acquirements, as it were, of yesterday! An ominous present was said, by the French journalists, to have been sent him by the Persian sovereign,—two scymitars, one of which had belonged to Timur, the other to Nadir Shah.* The intrigues of his emissaries at the Persian court, and with the Mahrattas and Mahommedan powers in Hindostan, were supposed to render this project probable; and the various routes which his army might take, were anxiously traced upon the map, by those whose forethought had more of fear in it than of hope. But Buonaparte was now enacting the part of Charlemagne, and had not leisure, as yet, again to take up that of Alexander, which he had so long laid aside. He was, indeed, at this time, actually master of the whole continent of Europe, Sweden alone excepted, which was secured by its poverty, its iron climate, and its unimportance, more than by its strength, though strong enough to have resisted the world, had there been one heart and will among its inhabitants. It was not worth his while to conquer Sweden, and, therefore, by an obvious policy, he left Russia to fight his battles in that country, and waste her forces there, that the magnanimous Alexander, as it was now his turn to becall him, might fall an easier victim whenever his turn was come.

An attack upon Gibraltar had, at different times, been threatened. One great object of Buonaparte was to shut us out from the Mediterranean; we had lost our popularity in Egypt; we had given up Minorca at the peace, and abandoned our partizans there to the vengeance of their own government;—our blind subserviency to the court of Sicily, rendered his conquest of that island certain, whenever it suited him seriously to attempt it; were but Gibraltar taken, our ships would have no port between England and Malta; and Malta itself, infinitely important as it might be made by an enlightened and enterprising policy, would then become a useless and expensive possession. It was indeed an arduous attempt to besiege a fortress so celebrated for its strength; but the greater, therefore, would be the glory of conquering it: there were reports of which he could not be ignorant, that the place had been weakened by imprudent excavations; and the cost of lives at which it was to be purchased, would not enter into his calculations;—that would fall upon the Spaniards and the poor German or Italian conscripts—while the fame, and the main advantages of the acquisition, would accrue to France. These speculations appeared more probable after his unprovoked seizure of Portugal: for, if Gibraltar were to be besieged, one of the preliminary steps would be to secure the port of Lisbon against us. Accordingly, when intelligence ar-

* The scymitar of Kouli Khan might probably be preserved at Ispahan, but how should that of Timur come there? This is a suspicious relic; and the story looks like one of the tricks of French vanity.

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rived that the Spaniards were repairing the old barracks, near the rock, that tents were ordered for a French army at Cadiz, and that the usual communication which had existed between the garrison and the neighbouring parts of Spain, was suspended, many persons began to believe that the attempt would be made. So strongly did this opinion prevail, that the Duke of Kent addressed a letter to the King, soliciting permission, as Governor of that fortress, to return to his post; and, when this permission was refused, he thought it expedient to publish his letter in the newspapers, for the purpose, as he expressed himself, "of clearing his own character from the aspersion that must unavoidably attach to it, in consequence of his absence from his government at such a moment, were it conceived to be voluntary on his part, or that he had been passive on the occasion."

It soon, however, became apparent, that the forces which Buonaparte was marching into Spain were designed to effect some important revolution in the government of that country,---though of what nature that revolution would be no reasonable conjecture could be formed. On the 30th of October, in the preceding year, a proclamation* was issued from the Escurial, in which the King of Spain accused his son, the Prince of Asturias, of conspiring to dethrone him: "My life," he said, "which has so often been in danger, was too long in the eyes of my successor. Being informed that he had entered into a project to dethrone me, I thought proper to enquire personally into the truth of the fact; and, surprising him in my room, I found in his possession the cypher of his correspondence. In consequence of this discovery, I immediately convoked the Governor and Council, in order that they might make the necessary investigation; the result has been the detection of several malefactors, whose imprisonment I have ordered, as also the arrest of my son." Six days after the date of this extraordinary proclamation, another was issued, in which two letters from the Prince were contained.— The first, which was addressed to the King, was in these terms: "Sire and Father, I am guilty of failing in my duty to your Majesty; I have failed in obedience to my father and King. I ought to do nothing without your Majesty's consent—but I have been surprised. I have denounced the guilty,---and beg your Majesty to suffer your repentant son to kiss your feet." The other was to the Queen, in which he requested pardon for the great fault that he had committed, as well as for his obstinacy in denying the truth; and he requested her mediation in his favour. In consequence of these letters, the King said, and of the Queen's entreaty, he forgave him— "for the voice of nature unnerved the hand of vengeance." The Prince, he added, had declared the authors of this horrible plot, and laid open every thing in legal form, consistent with the proofs which the law requires in such cases. The Judges, therefore, were commanded to continue the process, and submit their judgment to the King, which was to be according to the magnitude of the offence, and the quality of the offender. Meantime, at the request of his Council, he ordered a public

Nov. 5.

* Appendix, No. XIV.

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thanksgiving for this interposition of Divine Providence in his behalf.

This mysterious affair has never been clearly elucidated. The Spaniards imputed it to the machinations of Don Manuel Godoy, Prince de la Paz, or of the Peace, an upstart, who, from being, in the most infamous sense of the word, the favourite of the Queen, had attained the highest power in the state. This man was completely subservient to France, and it was supposed in this country, that, whether any such conspiracy as was alledged had existed or not, the real plot was devised by Buonaparte, for the sake of exciting divisions in the royal family. This opinion is supported by Don Pedro Cevallos, in his exposition of Buonaparte's conduct in the usurpation of Spain, a document against the validity of which all objections which have been raised are futile and fallacious. It is in all its parts consistent with itself, and with the characters of all the personages of whom it treats; nor is there any inconsistency in the character and conduct of its author.

The Spaniards are, perhaps, the only people who have undergone no national degradation when their country was degraded. A series of imbecil sovereigns had reduced it from the most powerful kingdom in the world, to a secondary state, whose government, for nearly the last century, had been inglorious abroad and oppressive at home. But while Spain was regarded with pity or contempt, a different feeling prevailed concerning the Spaniards; they were universally acknowledged to be an honourable people. It was not so generally known that they felt and groaned for the degradation of their country. When the French Revolution broke out, the young and the ardent-minded there, as in the rest of Europe, eagerly adopted principles which promised a new and happier order of things, though the partizans of those principles were comparatively less numerous than in any other country, in consequence partly of the state of the press; still more because of the feeling and devotion with which the Spaniards are attached to their religion and all its forms. There were, however, many, and those of the best of the Spaniards, who hoped to obtain that reformation in their government, by the assistance of France, which, without such assistance, they knew it would not only be hopeless, but fatal to attempt. That attachment which they had formed to the French Republic, too many transferred to the French empire.—Monstrous as this inconsistency may appear, we see it exemplified among ourselves, and the transition is easily explained; for having, from their principles, at first acquired the feelings of a party, they deluded themselves by supposing that, in serving their party, they served their principles, till at last they had no other principle than the party interest itself. Thus it is that Massaredo and Urquijo, beginning in feelings of true patriotism, have ended in rendering themselves infamous to all posterity, as traitors to their country.

Another class of Spaniards had been hostile to the French Revolution, till its character was changed by Buonaparte. They saw nothing to fear in the principles of his government; and the acts of personal atrocity which he committed did not sufficiently alarm them. The unhappy circumstance with which the war with England had commenced irritated them against this country, and

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that sentiment of indignation naturally inclined them toward France. —They seem to have conceived, that the best means of obtaining reform would be by contracting a closer alliance with the French Emperor, and, therefore, to have projected, or listened to, the plan of a marriage between their Prince Ferdinand and a Princess of the Corsican family. These views would have been reasonable, if any ties could have restrained the merciless ambition of this man. For though it might be his policy now to keep Spain in her present weakness and consequent dependence, yet, when his own blood acquired an interest in the prosperity of that kingdom, it might fairly be expected that those salutary changes, which were essential to its welfare, would be promoted by him, and peaceably effected under his auspices. According to Cevallos, the plan was suggested to the Prince by the French Ambassador at Madrid, instructed by his master, though not perhaps acquainted with his designs; the Ambassador, he says, persuaded him to write to Buonaparte proposing such an alliance; he consented, from his anxiety to avoid a marriage into which the Prince de la Paz would have forced him;—and, on this account, (the favourite being all-powerful at court,) it was necessary to begin the negociation unknown to his father. A few days after this letter was written, the arrest of Ferdinand took place; and, according to Cevallos, there were strong reasons to believe that the unknown person who revealed this feigned conspiracy, was some French agent employed to forward the Emperor's views. Whether any such intrigues were practised we have as yet no means of ascertaining, but there seems no necessity for supposing so. All that had hitherto past may be explained without any plot of Buonaparte's. The Ambassador may have acted from the suggestions of Ferdinand's friends, without any instructions from his court, and in perfect sincerity have believed that he was promoting a measure equally beneficial to both countries. The Prince himself, after his accession to the throne, declared, that the steps which he had taken for obtaining a French Princess in marriage were perfectly his own, and without compulsion. He had recommended the removal of Godoy;—in fact, the only paper of importance found in his possession, when he was seized, was a memoir designed for the King, and written with his own hand, in which he represented the misconduct of the favourite. A paper with various characters, intended to form a system of cyphers, was also found upon him; the strange appearance of such figures would easily terrify so weak a mind as that of Charles IV., aggravated as his fears would be by the artifices of Godoy, to whom, as he possessed both adequate means of discovering the Prince's intentions, and a sufficient and obvious motive for counteracting them, the accusation may with most likelihood be imputed. To him the Spaniards universally imputed it; and so plainly was their opinion manifested, that he soon found it necessary to set the Prince at liberty, and afterwards to drop those proceedings against his party, which had been intimated in the proclamation announcing his release.

An intrigue of this kind, with its plot and counterplot, was neither necessary for Buonaparte's views, nor consistent with his character. He

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had long been preparing the way for the usurpation of Spain. The first steps toward the accomplishment of this design was to remove its best troops, and accordingly, in conformity to treaty, 16,000 men, the flower of the Spanish army, were marched into the north of Germany, under the Marquis de Romana. The next business was to introduce French troops into Spain, and for this the occupation of Portugal afforded a pretext. For many years the Prince of Brazil had submitted to insults which he had no power of resenting, and bought off, at a heavy price, the threat of invasion, in the hope of preserving his kingdom by these expedients, till peace should be restored to Europe. So often had these threats been repeated, and these respites purchased, that Portugal incurred all the shame and the burthen of paying tribute, without obtaining the security of a tributary state. Upon this, however, the government relied. They thought themselves safe, because France received larger sums from them in this manner, than could be drawn from Portugal as a conquered country; because the Spanish treasures, so large a portion of which found their way into France, reached Europe in safety under cover of the Portugueze flag; and because they had every reason to suppose, that, if at any time an attack upon them was seriously intended, the court of Madrid would use its utmost influence to ward off their danger for its own sake. Could any reliance have been placed either upon the understanding or the honour of the Spanish King, upon royal faith, common interest, and the closest ties of alliance, the Portugueze would have reasoned justly; but Charles IV. was one of the weakest of men, and his favourite* had obtained the administration for his vices, not for his talents, which were of the lowest order.

It was easy for Buonaparte to deal with such men. At the very time when the transaction of the Escurial took place, a secret treaty for the partition of Portugal was signed at Fontainbleau. According to this extraordinary treaty, (which would for ever have remained secret, had it not been published by Cevallos,) the King of Etruria ceding his Italian possessions in full and entire sovereignty to Buonaparte, was to have the province of Entre Minho e Douro, with the city of Porto for its capital, erected into a kingdom for him, under the title of Northern Lusitania. Alentejo and Algarve were in like manner to be given to Godoy, in entire property and sovereignty, with the title of Prince of the Algarves; the other Portugueze provinces were to be held in sequestration till a general peace, at which time, if they were restored to the house of Braganza, in exchange for Gibraltar, Trinidad, and other colonies which the English had conquered, the new sovereign was, like the King of Northern Lusitania and the Prince of the Algarves, to hold his dominions by investiture from the

* No additional infamy can possibly be heaped upon Don Manuel Godoy; it may, however, be mentioned, that the wretch who thus planned the destruction of the kingdom of Portugal, in order to obtain a new principality for himself, was, at this very time, a Noble of that kingdom, by the title of Conde de Evora-Monte, and enjoyed a pension from the crown. This was conferred upon him by an *Alvara* of Feb. 5th, 1797, in which the Queen calls him "My Cousin."

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King of Spain, to acknowledge him as protector, and never to make peace or war without his consent. The two contracting powers were to agree upon an equal partition of the colonial possessions of Portugal; and Buonaparte engaged to recognize his Catholic Majesty as Emperor of the Two Americas, when every thing should be ready for his assuming that title, which might be either at a general peace, or at farthest within three years therefrom; and he guaranteed to him the possession of his dominions on the continent of Europe south of the Pyrenees.

A secret convention, which was concluded at the same time, agreed upon the means for carrying this nefarious treaty into effect. Twenty-five thousand French infantry and 3000 cavalry were to enter Spain, and march directly for Lisbon; they were to be joined by 8000 Spanish infantry and 3000 cavalry, with 30 pieces of artillery. At the same time 10,000 Spanish troops were to take possession of the province between the Minho and Douro, and the city of Porto; and 6000 were to enter Alentejo and Algarve. The French troops were to be maintained by Spain upon their march. As soon as they had entered the country, (for no opposition was expected,) the government of each portion of the divided territory was to be vested in the Generals commanding, and the contributions imposed thereon accrue to their respective courts. The central body was to be under the orders of the French Commander-in-chief. Nevertheless, if either the King of Spain, or the Prince de la Paz, should think fit to join the Spanish troops attached to that army, the French, with the General commanding them, should be subject to their orders. Another body of 40,000 French troops was to be assembled at Bayonne, by the 20th of November at the latest, to be ready to proceed to Portugal, in case the English should send re-inforcements there, or menace it with an attack. This army, however, was not to enter Spain, till the two contracting parties had come to an agreement upon that point.*

At the time when this treaty and the annexed convention were concluded, Cevallos held the office of first Secretary of State. These negociations were, however, wholly carried on by Don Eugenio Izquierdo, whose instructions, correspondence, and even his appointment as Plenipotentiary, were never made known to Cevallos, nor to that department of the ministry whereof he was the head. The whole transaction was of so suspicious a character, that Buonaparte feared to trust it to the judgment of any persons, except those of whose imbecillity he was assured. The bait which was held out to Godoy blinded him; and the perfidy of Charles IV. towards his ally and son-in-law, the Prince of Brazil, is to be accounted for by his fatuity. In conformity to this treaty, a French army under Junot entered Portugal, and was joined by the stipulated Spanish force. It was in vain that the Portugueze government ordered their ports to be closed against all the ships of war and merchant vessels of Great Britain; and that, when the British factory had embarked themselves and as much of their property as time permitted, the Prince reluctantly, as a last concession, signed an order for detaining the few persons and the

* Appendix, No. XV.

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little property that remained. Buonaparte pronounced, that the house of Braganza had ceased to reign. Happily for that house the sentence was pronounced before the victims were in his power; and the Prince renewing his intercourse with the English Envoy, Lord Strangford, who had retired on board a blockading squadron, embarked with all his family, and many of his faithful friends and adherents; and with the whole Portugueze fleet and the Brazilian ships, sailed for Brazil, to establish his court in that great empire, which Philip II. had offered to one of his ancestors, in independent sovereignty, if he would renounce his right to the crown of Portugal. The talents of Buonaparte will not be appreciated so highly hereafter as they are at present; but even those persons who most magnify his abilities, seeing them through the mist of fear, have allowed, that, in this instance, his passions overpowered his policy.

One provision of the secret treaty having thus been fulfilled, Godoy was anxiously expecting to be put in possession of his new kingdom of the Algarves. He relied upon the good offices of Murat, the Grand Duke of Berg, with whom he communicated through his agent and confident Izquierdo, and, if a few millions should be necessary to expedite his wishes, the treasures which he had amassed during his infamous administration, enabled him to spare these at command. Murat, however, informed him, that the business was now become very delicate, owing to the extraordinary attachment which the Spaniards had manifested towards the Prince of Asturias, the consideration due to a Princess of the Imperial family, and the part taken by her relation, the Ambassador Beauharnois. The favourite began to anticipate his fall; he employed every means to ingratiate himself with Murat;—and, fancying that Buonaparte was favourable to the project of the marriage, made the King write to him, and request his consent to it. This alliance, which he had so lately dreaded, and endeavoured to prevent by means so perilous to the Royal Family, he would now fain have promoted in hopes of sheltering himself. But Buonaparte chose at this time to keep all parties in suspense, that they might be confused by their own fears;—he assumed an air of displeasure towards Izquierdo, and kept him at a distance, in order to cut off the direct mode of communication; and he set off for Italy, giving to his journey an affected importance which excited the expectations of all Europe. There, carrying into execution those parts of the secret treaty which were to his own advantage, he expelled from Tuscany the Queen Regent and her children, and seized all the public funds of a Court that was ignorant of the very existence of the treaty, in virtue of which they were called upon to surrender not only what he had given them, but those dominions which they had possessed before he and his family were banished from Corsica.

From Italy he answered the King of Spain's letters; assured him that he had never received any communication from the Prince of Asturias, nor had had the slightest information of the circumstances respecting him which those letters imparted; nevertheless, he said, he consented to the proposed intermarriage. In a letter afterwards written to Ferdinand himself, he acknowledged the receipt of that letter which he now denied. Holding out these hopes to the Prince,

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and yet, at the same time, by his long silence, and his reserve towards Izquierdo, keeping him, his father, and the favourite, equally in suspense and alarm, he was, meantime, marching his armies into Spain. That they should enter it had been stipulated by the secret treaty of Fontainbleau, —and the court was not in a state to insist upon the condition that the two contracting powers were to come to a previous agreement upon that point. It was essential to his views that he should make himself master of the principal fortresses: and his Generals were instructed to obtain possession of them in whatever manner they could. The wretched court, fearing they knew not what, were now punished by their own offences, —the treaty into which they had entered for the destruction of Portugal was now turned against themselves,——they had neither sense nor courage to take those measures for their own security which the people would so eagerly have seconded; on the contrary they gave the most positive orders that the French should be received every where, and treated even more favourably than the Spanish troops. Thus were the gates of Pamplona, St Sebastian, Figueras, and Barcelona thrown open to them.

The next object of these treacherous guests was to get possession of the citadels. Early in the morning of the 16th of February, a party of about thirty French soldiers, with two officers, went to the citadel of Pamplona with empty bags, to receive rations as usual. A shower of rain gave them a pretext for taking shelter in the guard-room at the gate; and there, watching their opportunity, they seized the arms of the guard, which consisted only of thirteen men and an officer, and knocked down the sentry, who attempted to resist them. Immediately they made their signal, two hundred of their comrades hastened to them; they entered the citadel, overpowered the advanced guard, and took possession of all the batteries. The soldiers who were quartered in the fortress, about 200 in number, were told that, if they did not submit, they might abide the consequences. —About a hundred were detained to do duty with them.—More troops came in to support them; while others, according to their orders, made themselves masters of the bridges, and secured the powder magazine. When all was done, Darmagnac, the general of division, whom Buonaparte had chosen to perpetrate this act of treachery, addressed a letter to the magistrates, informing them, that, as he understood he was to remain some time in Pamplona, he felt himself obliged to insure its safety in a military manner, and he had therefore ordered a battalion to the citadel, in order to garrison it, and do duty with the Spanish troops. I beseech you, he added, to consider this as only a trifling change, incapable of disturbing the harmony which ought to subsist between two faithful allies.

Measures had been so concerted, that Barcelona was surprised the same day. About 10,000 French troops, under General Duhesme, arrived in the neighbourhood of that city on the 13th of February, and requested permission to halt there and refresh themselves for a few days, on their way to Valencia.—The gates were opened to them, and they were received by the people as friends and allies. On the 16th the *generale* was beat; they assembled

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on the parade as if to proceed upon their march;—their hosts and acquaintances came to bid them farewell, and the idlers of the place gathered round to see them depart. On a sudden they filed off in two divisions, one to the citadel, the other to Monjui, a fort upon a hill which commands the town. Here there was a garrison capable of resisting them; but, though the commander demurred at their summons, saying he must receive instructions from his government, he had not resolution enough to act up to his duty. The French general insisted that his orders were peremptory, and must be executed. To have resisted would have brought on an immediate attack; and, though the commander could have defended Monjui, he dared not venture upon an act which would have involved his country in war with France.——In this manner the French surprised Barcelona. A century ago it was taken by the Earl of Peterborough, and his conduct presents a contrast too honourable and too characteristic to be forgotten on this occasion. Monjui had fallen, and he was treating in person with the governor at the gates;—the articles were agreed upon, but not yet compleated, when an uproar was heard within the town, and the Spaniard accused Peterborough of betraying them; "while we were capitulating," said he, "with honour and sincerity, your troops have forced their way in, and are sacking the place." Peterborough replied, "they must be the Prince of Darmstadt's troops; and that there was but one means of saving the town, which was to let him and the English enter,—he would drive them out, and return to finish the capitulation." Nothing was risked in assenting to this, even if the governor had for a moment doubted of a proposal, which was made with such evident sincerity of heart, and was so congenial with the character of our great Peterborough, a man who carried into modern warfare, all the enterprize and all the virtues of the best ages of chivalry. He with his English troops accordingly entered the town, drove out the Germans and Catalans, made them restore their plunder, then peaceably returned to the gate, and signed the terms of capitulation.

The government of Spain had not virtue enough to know the strength which it possessed in such a people as the Spaniards; feeling nothing but its own imbecility, it had not had courage to prevent these aggressions, and consequently dared not resent them; and as the French seized these places in the name of their Emperor as an ally, this wretched court consented to the occupation of them upon the same plea. Symptoms of a far different spirit appeared in Barcelona; and the Count of Espeleta, captain-general of Catalonia, found it necessary *Feb. 29.* to issue a proclamation, calling upon all fathers of families, and heads of houses, to preserve tranquillity, and thus co-operate with the intentions of their rulers; and declaring that the late transactions did in no way obstruct or alter the system of government, neither did they disturb public nor private order. His proclamation was posted in all parts of the city. Duhesme, however, soon gave the inhabitants new cause for alarm, by calling upon the captain-general to fill the magazines, and establish depots for the

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subsistence of his troops. The Count of Espeleta returned for *March* 18. answer to this requisition, "that the French general might consider the whole city as his magazine: that, as he had no enemy to dread, and was quartered there as an ally, the measures which he proposed to take could only serve to create suspicion and distrust: and that the Emperor would be ill pleased to hear that he had alarmed, with fearful forebodings, a city which had afforded him so hospitable a reception. Your Excellency," he pursued, "will be pleased to request the opinion of his Imperial Majesty respecting your determination, before you carry it into effect, and to accompany your request with this explanation of mine; as I shall also lay the business before the King my master, without whose orders I cannot give to your Excellency what the forts in possession of the Spanish troops have not. Meanwhile I wish to impress upon your mind, that it will serve no good purpose to supply the forts with stores of provisions; that such an intention is pointed and offensive; and that it will neither be in the power of your Excellency, nor of myself, to remedy the consequences of the sensation which such a measure may excite among the inhabitants."

It seems at this time to have been Buonaparte's intention that the royal family should fly to their American empire; he might then take possession of the kingdom as left to him by their abdication; and there were no means of ultimately securing Spanish America also, so likely as by letting this family retire there; both countries would needs be desirous that the intercourse between them should continue; nor were there any Spaniards who would with less reluctance submit to hold it in dependence upon him, than those persons who had given so many proofs of abject submission to his will. For the purpose of increasing the fear of Charles and his ministers, he wrote an angry letter, complaining, in the severest terms of reproach, that no farther measures had been taken for negociating the proposed marriage. The King replied, that he was willing it should take place immediately. He probably considered Buonaparte to be sincere in his intentions of forming this alliance, and never having been fit for business, and now, perhaps, for the first time really feeling its cares, a natural wish for repose began to be felt, and a thought of abdication passed across his mind. "Maria Louisa,"—said he to the Queen, in the presence of Cevallos, and of all the other Ministers of State, "we will retire to one of the provinces, where we will pass our days in tranquillity, and Ferdinand, who is a young man, will take upon himself the burden of the government."—This was a thought which the example of his predecessors would readily suggest to a King of Spain. But it was not this which the Corsican desired;—that tyrant perceived his victim was not yet sufficiently terrified, and therefore Izquierdo, who had been kept at Paris in a state of perpetual suspense and agitation, was now commanded to return to Spain. No written proposals were sent with him, neither was he to receive any; and he was ordered not to remain longer than three days. Under these circumstances he arrived at Aranjuez, and was im-

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mediately conducted by Godoy to the King and Queen. What passed in their conferences has never transpired; but, soon after his departure from Madrid, Charles began to manifest a disposition to abandon Spain, and emigrate to Mexico. If he were capable of feeling any compunctious visitations, how must he have felt at reflecting that he had assisted in driving his kinsman and son-in-law to a similar emigration; that he was now become the victim of his own misconduct; and, envying the security which that injured Prince had obtained, was himself preparing, in fear and in peril, to follow his example.

Preparations for such a removal could not so easily be made at Madrid and at Aranjuez as at Lisbon. There was also a wide difference between the circumstances of Spain and Portugal, making that a base action in the Sovereign of the former kingdom which, for the last half century, would have been the wisest measure that the House of Braganza could have adopted. The Spaniards were confident in the size and strength of their country, and in the Prince of Asturias and his party they had leaders to whom they were enthusiastically attached. Great agitation prevailed in the metropolis, the French were rapidly advancing there, the intentions of the Royal Family were soon suspected, and probably the Prince's friends in the ministry, to whom those intentions were necessarily entrusted, spread the alarm abroad. It is said that the Council of Castille was assembled, and that, after a deliberation of six hours, the answer of that Assembly to the King was, that he ought not to leave the country, and that they would not allow him to do so. If such an answer was returned, it must have been under the fear of popular opinion. Aranjuez was as much disturbed as Madrid. A decree was posted up, in which the *March* 16. King endeavoured to remove the suspicions of the people. "The army of his dear ally the Emperor of the French," he said, "were traversing his kingdom in peace and friendship, their object being to march to those points which were threatened by the enemy." And the junction of his life-guards (a circumstance which confirmed the opinion of the citizens respecting his intended flight) was explained by saying, that they were only summoned to protect his person,—not to escort him on a journey which malice endeavoured to represent as necessary. This did not satisfy the public; the proofs of such an intention were unequivocal, carriages and horses had been embargoed; loaded carts had set off; relays of horses were stationed on the road to Seville. The people flocked to Aranjuez; they found the baggage of the Court packing up for removal. It was now beyond a doubt that their government was on the point of abandoning them, and, seeing no better way of saving themselves, they determined to stop them by force, and to take vengeance upon Godoy, to whom they imputed all their calamities. According to the fullest accounts of these transactions which have appeared in England, the favourite remained at the palace till late at night, and attempted to escape from his own house about one. The alarm was given by one of the life-guards, who fired a pistol, others of that company instantly assembled, and the peo-

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ple gathered round the house, and endeavoured to force their way in. Godoy's own soldiers were faithful to him: and some of the life-guards fell in this attempt. His brother, Don Diego Godoy, came with his regiment of guards to his assistance, and ordered them to fire upon the people; but they refused to obey, and suffered him to be disarmed and bound hand and foot. The tumult increased,—it was reported that the Royal Family were about to fly; they were in bed at the time;—but when the house of Godoy was forced, it was found that he had escaped, and a party of life-guards pursued at full speed, and overtook him at Ocana. The Princess de la Paz and her daughter were with them; and it is not improbable that their presence preserved him from that vengeance which he had so righteously deserved. They were conducted back, and delivered by the populace to the Prince of Asturias.

This took place during the night of the 17th. On the following morning, the King issued a decree, saying, that, as he intended to command his army and navy in person, he released Godoy from his employs of Generalissimo and Admiral, and gave him leave to withdraw whither he pleased. The people were not to be appeased by a measure, the obvious intention of which was to screen the favourite from punishment, and give him an opportunity of effecting his escape. Their agitation still continued; and *March* 19. Charles the next day, by a public decree, abdicated the throne. "The complaints," he said, "under which he laboured would not permit him longer to support the heavy burthen of government; and, as it was necessary, for the recovery of his health, to enjoy the tranquillity of a private life in a more temperate climate, he had determined, after the most serious deliberation, to abdicate the Crown in favour of his very dear son." He therefore, by this decree of "free and voluntary abdication," made known his royal will, "that the Prince of Asturias should be acknowledged and obeyed as King and natural Lord of all his kingdoms and dominions." *

* Appendix, No. XVII.

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CHAP. XIII.

First Acts of Ferdinand VII.—Murat enters Madrid.—Buonaparte decoys the whole of the Royal Family to Bayonne.—Transactions there, till their compulsory Renunciation of the Crown.

The first act of Ferdinand VII.* was to re-appoint the five secretaries of state, whose offices terminated with the former reign. Cevallos was thus confirmed in the same situation under the son which he had held under the father. Assuredly no inconsistency or want of principle ought to be imputed to him on this account; it was his duty to serve his country as best he could under any administration. Ministers in other kingdoms are not to be overthrown by opposition, as they are in England. Those persons who are not employed must be in retirement, and the friends of Ferdinand would be more useful to him by acting under Godoy, than they possibly could be while unemployed. These re-appointments were made *March* 19. public on the day of the abdication. Cevallos, however, sent in his resignation; the reasons which he alledged for so doing have not been made public; perhaps he wished to withdraw as much as possible from increasing difficulties and dangers, against which there appeared no remedy; perhaps some degree of unpopularity attached to him because of his connection with Godoy. The language in which Ferdinand, by a public decree, refused to receive his resignation, implies this. It had been proved to him, he said, *March* 21. that, though Cevallos had married a cousin of the Prince de la Paz, he never participated in the projects of which that man was accused, into which judicial inquiries had been instituted. This manifested in him a noble and a loyal heart, and he was therefore a servant of whom the king would not deprive himself. On the *March* 20. day after the accession the senior governor of the council published a proclamation at Madrid, whereby the king confiscated the whole of Godoy's property of every

* Some of our newspapers, at the time when this revolution was supposed by them to be the work of Buonaparte, commented indignantly upon the title of the new king, asserting that he had chosen to be called Fernando VII. instead of Charles V. But his name was Fernando Carlos, not Carlos Fernando.

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kind. He announced his intention of speedily coming to the metropolis to be proclaimed, expressing however his wishes that the inhabitants would previously give him proofs of their tranquillity, since he had communicated to them this most efficient order against the late favourite. By the same proclamation the Duke del Infantado, a nobleman of the highest character, was appointed to the command of the Royal Spanish Guards, and to the Presidency of Castille. All those persons who had been confined in consequence of the affair which happened in the Escurial, (thus the pretended conspiracy was spoken of) were recalled near his royal person. These various measures, it was said, were made public that they might come to the knowledge of all, and that the loyal inhabitants of Madrid might know how great an interest the king took in their happiness, and in the gratification of their wishes. They were requested to retire to their homes, and remain there in tranquillity; thus giving to their new sovereign, in the first moments of his reign, the best testimony of the sincerity of their sentiments, and of those acclamations of loyalty which have so lately been heard from them.

March 20. A proclamation of the following day informed the people, that the king had notified to the French emperor the happy event of his accession, assuring him at the same time, that, animated by the same sentiments as his august father, and far from changing, in the slightest degree, his political system with respect to France, he would endeavour, by all possible means, to draw closer the bands of friendship and strict alliance which so fortunately subsisted between Spain and the French empire. This communication, it was said, was made, in order that the council might act conformably to the king's sentiments, in taking measures to restore tranquillity in Madrid, as well as for receiving the French troops who were about to enter that city, and for administering to them every requisite assistance. They were to endeavour also to convince the people that these troops came as friends, for purposes advantageous to the king and to the nation. It is manifest that the people were too wise to believe this. Their eyes were open to the danger; but owing to the imbecility of their former rulers, and the situation in which Ferdinand found himself on his assumption to the throne, they were delivered over bound, as it were, hand and foot, to their treacherous enemies.

The ministers of the foreign courts all congratulated the new king upon his accession, except the French ambassador, who declined it, because he had not been furnished with the necessary instructions. Murat was at this time advancing toward Madrid with his army. Nay, supposing, says Cevallos, that the royal family were already on the coast, and on the point of embarking, and that the people would receive him with open arms as their deliverer,—he conceived that the Spaniards were in the highest degree dissatisfied with their government, and never reflected that they were only dissatisfied with its abuses. The occurrences at Aranjuez were altogether unexpected, and he immediately hastened with his whole army towards the capital to profit by the occasion, and take such steps as might, by any means

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make him master of Spain. The approach of such an army, the silence of the French ambassador, the mysteriousness of Buonaparte, and his journey to Bayonne, perplexed and alarmed Ferdinand. He had immediately communicated his accession to this emperor in the most friendly and affectionate terms—fear could suggest no other. Lest this should be deemed insufficient, he appointed a deputation of three grandees to proceed to Bayonne, and compliment him in his name; and another grandee was sent, in like manner, to compliment Murat, who had already reached the vicinity of Madrid.—This worthy agent of such a master was fully in the Corsican's confidence; he assured Ferdinand that Buonaparte might be every moment expected; and he spread this rumour on all sides. Orders were therefore given for preparing apartments in the palace suitable for such a guest; and the king, whose fears made him restless, wrote again to Buonaparte, saying how agreeable it would be to him to become personally acquainted with him, and to assure him, with his own lips, of his ardent wishes to strengthen more and more the alliance which subsisted between them.

March 23. Murat, evidently for the purpose of displaying his forces, to intimidate the Spaniards, reviewed his whole army before the walls; then made his entrance into Madrid, preceded by the imperial horse-guards, and by his staff, and followed by all the cavalry, and by the first division of foot under General Mounier; two other divisions were encamped without the city, and a detachment proceeded to take possession of Toledo. Ferdinand made his public entry on horseback the following day, with no other parade than that which, under happier circumstances, would have been the most grateful of all spectacles;—a concourse of all the people of the capital and its vicinity, rejoicing in his presence, and testifying, by their acclamations, that they expected from him the regeneration of their country. But never did poor prince succeed to such a crown of thorns. *March 24.*

Murat spoke mysteriously upon the change of government which had been effected, declaring, that, until the emperor had acknowledged Ferdinand VII., it was impossible for him to take any step which might appear like an acknowledgment; he therefore must be under the necessity of treating with the royal father. As a farther indication of the course which would be pursued, he affected to take an interest in behalf of Godoy. A sort of military government was immediately established in the metropolis; the French general, Grouchy, being made governor of the city, and patroles instituted to preserve the police, under the joint superintendance of a French officer and a Spaniard.

No people, in time of popular tumult, ever conducted themselves with such respect to the magistrates and the law as the people of Madrid had done during this revolution. They do not seem to have injured the person of any individual, even Godoy himself escaped unhurt. A party had assembled round the house of one of his creatures, when an Alcayde came up, and enquired what they were about to do?—To put to death a villain, was the answer. Who gave them authority to do so? One of the crowd was ready with an an-

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swer, and replied, his crimes. Were there no courts of justice? the spokesman was asked, and he answered by another question, Why then does he still live? But, said the Alcayde, have you proved him to be guilty? We know him to be so. But has the law pronounced his condemnation? No. Well, then, said the officer, he is my prisoner, and I will deliver him to justice. This satisfied the people, and they dispersed without committing any act of violence. An Alcayde preserved another house from plunder, by fixing the royal arms in its front.

In the provinces, the news of the abdication was received with the utmost joy; Charles's imbecility was well known; his queen was unpopular for her open profligacy; and nothing could exceed the hatred in which the favourite was held. Te Deum was performed in several places, as a thanksgiving for his fall. At Salamanca, the monks and students are said to have testified their exultation by dancing in the market-place. The use which Ferdinand made of Godoy's treasures increased the general satisfaction; one of his earliest measures was, from this money to pay up the arrears due to the officers and widows on the pension list.

A declaration,* concerning the affair of the Escurial, was
March 30. made public on the last day of the month, for the purpose of proving that neither his former preceptor, D. Juan de Escoiquiz,† nor the Duke del Infantado, nor any other of his servants, who were implicated in the accusation of conspiracy, had been guilty of any misconduct. A circumstance, however, appears in the account, which affords some grounds for suspecting that such an abdication as had been effected now, was intended in October. The prince, it there appeared, had declared, upon his examination, that he had, in his own hand writing, commissioned the Duke del Infantado to assume the command of the troops in New Castille, in case of his father's demise. The alleged reason was his fear lest Godoy should continue at such a time to make an improper use of his influence and power. Such a pretext was manifestly fallacious: there was no likelihood of the king's death: and, in case of such an event, Godoy, who held his power only upon favouritism, would instantly have become the wretch that this revolution made him. It could never have been apprehended that he would dream of changing the succession.

In the deed of abdication, Charles called it his own free and voluntary act; and as such Cevallos represents it. Nothing is more probable than that the examples of Charles V. and Philip V. should have occurred to him, and that the thoughts of imitating them should have past across

* Appendix, No. XVII.

† Escoiquiz had been his geographical and mathematical tutor. In 179[illegible] he published an heroic poem, called *Mexico Conquistado*, in three volumes. A account of it appeared in the Critical Review for 1802. For a Catholic poet, th is perhaps the finest subject in either ancient or modern history; but Escoiquiz w not equal to it. When he published this work he was a Canon of Tarragona; b had been removed to Toledo at the time of the conspiracy.

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his mind in a moment when difficulties pressed upon him, and he was sick of the cares of government; cares which he had never felt till an apprehension for his own personal security roused them. It is probable, also, that the prince's party might not have formed the plan of sending him into retirement, unless they had known that he himself had entertained, however transiently, a wish of retiring. To talk, even among themselves, of deposing the king, would have a startling sound; but it was easy to persuade both themselves and Ferdinand, that the object of their design was to carry that wish and wise intention of his father into effect for him, which he wanted resolution to effect for himself. All this is highly probable: Nevertheless, the act itself bears with it marks of deposition, little less decided than the abdication of James in this country.

These circumstances tallied too well with the designs of the Corsican to be overlooked by Murat. On the very day that he entered Madrid, General Mouthéon was sent by him to draw from Charles a protest against his deposition. There was no difficulty in obtaining it from this weak monarch; though, however compulsory the act of abdication might have been, it was now as much his interest as that of his family and of Spain, that he should acquiesce in it. Actuated by his own resentment, and perhaps still more by that of the queen, who trembled for the life of her paramour, and, like an adulterous mother, hated her son, he committed his last and consummating folly by appealing for protection to that very tyrant whose open and undisguised aggression had not a week before driven him to the resolution of abandoning the throne, and seeking refuge in America. Thanking the Grand Duke of Berg for his commiseration, he said to his agent, De Mouthéon, that his affliction was the greater because his own son was the author of it. The revolution had been effected by forgery and corruption; the prince, and Caballero, minister of justice, having been the principal actors in it, he was compelled to abdicate, to save the lives of himself and the queen; knowing, that, if he had refused, they would both have been murdered in the course of the night. This conduct of the Prince of Asturias was more shocking, the king said, inasmuch as, having perceived his desire to reign, and being himself near threescore years of age, he had agreed to surrender the crown to him on his marriage with a French princess; an event which he, the king, ardently desired. This part of the conference seems to prove, that he had not only thought of abdicating, but had even promised to abdicate, and fixed the time. It is, however, not less clear that the act, when actually performed, was compulsory.

The prince, he added, had chosen Badajox for the place of their retreat, though that part of the kingdom was injurious to his health. This he had represented, and entreated him that he might be permitted to chuse another place; his wish being to obtain permission of the emperor to purchase an estate in France, where he might end his days; and this had been refused. The queen said she had begged her son at least to postpone their journey. Her entreaties were in vain: to Badajox they were ordered, and their journey was to begin on the following Monday. All this is exceedingly suspicious.—

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There can have been no reason why Ferdinand should not permit his father to chuse his place of residence, and it is highly improbable that Charles should have thought of retiring into France. But the publication of such a falsehood suited Buonaparte's views.

Having made these complaints, Charles delivered into De Mouthe-on's hands, a letter to the emperor, and a formal protest, declaring, that the decree, wherein he renounced the crown in favour of his son, was a deed to which he was compelled, in order to prevent greater calamity, and spare the blood of his beloved subjects. It was therefore to be considered as of no authority. The letter was of a more abject character. "Sir, my brother," it said, "you will not, without sympathy, see a king, who has been compelled to resign his throne, throw himself into the arms of a great monarch his ally, placing every thing in the protection of him who alone can fix his happiness, and that of his whole family, and his faithful and beloved people. Under the pressure of the moment, and amid the clashing of weapons, and the cries of a rebellious guard, I found that I had to chuse between life and death, and that my death would be followed by that of the queen: but now tranquillity is restored, and full of confidence in the generosity and genius of the great man, who has at all times declared himself my friend, I have taken my resolution to resign myself into his hands, and await what he shall resolve on my fate, that of the queen, and of the Prince de la Paz." Having consigned this letter to De Mouthe-on, which, if not dictated, was evidently suggested by him, the king said that his situation was most deplorable; they had seized the Prince de la Paz, and would put him to death, though for no other crime than that of having been at all times attached to his sovereign. There were no efforts which he would not have attempted to save the life of his unhappy friend, but the whole world was deaf to his entreaties, and bent on vengeance; and he felt assured, that Godoy's death would be his own, for he should not survive him.

These proceedings were concealed from Ferdinand. Murat's intention was to frighten him into the toils; an alarm that should have made him start, would have ruined the plot. The interest which this Grand Duke affected for Godoy, his refusal to acknowledge the new government, and the respect which he paid to Charles, all tended to this end. The rumour of Buonaparte's coming was carefully spread abroad; fresh couriers were said to have arrived:—the emperor had left Paris, and was speedily to be expected in Madrid. The soldiers were told that he would lose no time in putting himself at the head of his armies in Spain; they were ordered to put themselves *April 2.* in a state to appear before him; and in this proclamation, which appeared in a Madrid gazette extraordinary, the ominous notice was given, that they would immediately be supplied with cartridge to fire with. It was hinted that it would be a delicate compliment to the emperor, if the Infante, Don Carlos, (Ferdinand's next brother,) would set off to receive him on the way. His Highness, Murat said, could not fail to meet him before he had proceeded two days upon his road.—This was readily agreed to, and the Infante, accompanied by the Duke del Infantado, departed upon this

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fatal journey. Having secured these victims, Murat endeavoured to entice Ferdinand himself into the snare: what had at first been hinted at, and advised as a mark of attentive consideration, was now prest upon him as a thing of importance; a measure which would be attended with the happiest consequences to himself and the whole kingdom.—The young king hesitated at this; it was more than courtesy required, more than an ally was entitled to expect, and perhaps he felt that it was more than a King of Spain ought to perform. Cevallos constantly advised him not to leave his capital till he had received certain intelligence that Buonaparte had actually passed the Pyrenees, and was approaching Madrid; and even then he urged him to proceed so short a way, that it should not be necessary for him to sleep out of his capital more than a single night. This advice prevailed for a time against the repeated solicitations of Murat and the ambassador Beauharnois. It became necessary, therefore, to introduce a new actor in this detestable plot.

During the interval which elapsed before this agent could appear, Murat informed Cevallos, that the Emperor would be gratified if the sword of Francis I. were presented to him; and he desired that this might be intimated to the new king. It might be supposed that this was designed not merely to gratify the French nation, but also to lower Ferdinand in the opinion of the Spaniards, if Buonaparte and his agents ever took the noble feelings of our nature into their calculation. But it was a mere trick for the Parisians, and neither they nor the tyrant himself would feel that France was far more dishonoured by the circumstances under which the sword was recovered, than by the manner in which it had been lost. Accordingly this trophy of Pescara's victory, which had lain since the year 1525 in the royal armoury at Madrid, was carried with great ceremony to the lodgings of the Grand Duke;—he, it was said, having been brought up by the side of the Emperor, and in the same school, and illustrious for his military talents, was more worthy than any other person could be to be charged with so precious a deposit, and to transmit it into the hands of his Imperial Majesty. This base language appeared in the Madrid Gazette. The people of that city passively beheld the surrender of this trophy; it was the act, however compulsory, of their lawful king, the king of their choice; the compulsion was neither avowed on the one side, nor confessed on the other; but, from the imputation of beholding it with indifference, they have amply redeemed themselves. Murat, upon receiving it, pronounced a flattering eulogium upon the Spanish nation, —that nation whom he was in the act of plundering, and whom he came to betray and to enslave.

March 31.

In spite of the patroles and rounds, and military government, the suspicions of the people began to manifest themselves more and more, and their poor Prince was compelled, while he concealed his own fears, to exert his authority for suppressing theirs. By a new edict, it was enacted, that no liquors should be sold after eight in the evening; master-manufacturers and tradesmen were ordered to give notice to the police if any of their workmen or apprentices absented themselves from their

April 3.

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work; fathers of families were enjoined to keep their children and domestics from mixing with seditious assemblies, and to restrain them by good example, good advice, and the fear of punishment. The king, it was said, was grieved to perceive that the imprudence or malevolence of a few individuals attempted to disturb the good understanding between the people of Madrid and the troops of his intimate and august ally; and, as this conduct arose, perhaps, from a ridiculous and groundless misapprehension of the intention of those troops who were quartered in that city, and in other parts of the kingdom, he affirmed, for the last time, that his subjects ought to set aside every fear of that nature, as the intention of the French government accorded with his own; and so far from concealing any hostile prospects, or the slightest invasion, had no other object than the great measures requisite against their common enemy. If, however, any person, after this declaration, should be rash enough, either by words or actions, to aim at disturbing the friendship between the two nations, the guilty would be most rigorously punished, without remission and without delay.

General Savary was now announced as Envoy from the Emperor, and demanded audience in that capacity. Of course it was immediately granted. At this audience he professed that he was sent merely to compliment Ferdinand, and to know whether his sentiments with respect to France were conformable to those of the king his father; if it were so, the Emperor would forego all consideration of what had passed; would in no degree interfere with the interior concerns of the kingdom; and would immediately recognize him as King of Spain and of the Indies.—To this the most satisfactory answer was given. It neither was, nor could have been, the intention of the prince's party to offend France; the only hope which they had hitherto entertained of regenerating their government, had been by allying themselves with Buonaparte, and availing themselves of his power. One of the charges which were current against Godoy among the people, was that of a secret understanding with the English, and that he intended to deliver Ceusta into their hands, and fly with all his treasures under their protection. Nothing could be desired more flattering than the language of Savary during this audience; and he concluded it by asserting that the Emperor was already near Bayonne, and on his way to Madrid.

No sooner, however, had this Envoy left the audience-chamber, than he began, as if in his individual capacity, to execute the real object of his mission. It would be highly grateful and flattering to his Imperial Majesty, he said, if the King would meet him on the road; and he asserted repeatedly, and in the most positive terms, that his arrival might be expected every hour. So positive was he in asserting this falsehood, and so urgent in pressing his advice, that Ferdinand, incapable as he must needs have been, of suspecting that this Envoy of an Emperor was sent merely for the purpose of deceiving him, yielded to his solicitations, half-tempted by his flattery, and at the same time afraid to refuse what was so earnestly required. It is mournful to transcribe the language in which he communicated this resolution to the President of the Council. "He had received (he said) certain intelligence, that his faith- *April 8.*

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ful friend and mighty ally, the Emperor of the French and King of Italy, was already arrived at Bayonne, with the joyful and salutary purpose of passing through this kingdom, to the great satisfaction of himself (the king), and to the great profit and advantage of his beloved subjects. It was becoming the close friendship between the two crowns, and the great character of the Emperor, that he should go to meet him; thus giving the most sure and sincere proofs of his sentiments, in order to preserve and renew the good harmony, confidential friendship, and salutary alliance which so happily subsisted, and ought to subsist between them. His absence could last only a few days, during which he expected, from the love and fidelity of his dear subjects, who had hitherto conducted themselves in so praiseworthy a manner, that they would continue to remain tranquil; that the good harmony between them and the French troops would still be maintained; and that those troops should be punctually supplied with every thing necessary for their maintenance." On the same day he appointed his uncle, the Infante Don Antonio, President of the High Council of Government, as well, it was said, on account of the ties of blood, as because of the distinguished qualities with which he was endowed, to transact all pressing and necessary business which might occur during his absence. In this decree he stated, that he should go to Burgos, evidently implying an intention at that time of not proceeding farther.

Accordingly, on the morning of the 11th of April, Ferdinand began his unhappy journey. Savary, affecting the most zealous and assiduous attention, solicited the honour of accompanying him;—he had just, he said, received information of the Emperor's approach, and it was not possible that they should proceed farther than Burgos before they met him. They reached Burgos, and Buonaparte was not there, neither were there any tidings of his drawing near. Savary, who had followed the young king in a separate carriage, urged him to proceed to Vittoria. Ferdinand hesitated; but the same flatteries and falsehoods on the part of the French Envoy, and the same anxiety and secret fear which had induced him to come thus far, made him again consent; yet so reluctantly, that the Frenchman, on their arrival at Vittoria, thinking it would be useless to renew his solicitations, left him there, and continued his journey to Bayonne, there to arrange matters with his master for securing the prey, who was now already in the toils. At Vittoria, Ferdinand received intelligence that Buonaparte had reached Bourdeaux, and was on his way to Bayonne. In consequence of this advice, the Infante Don Carlos, who had been waiting at Tolosa, proceeded to the latter place, whither the Emperor had invited him: he reached that city some days before him; and when this modern Cæsar Borgia arrived there, he found one victim in his power. It is said that Don Carlos soon discovered the views of Buonaparte; and, having communicated his fears to Pignatelli, on whom he relied as a Spaniard, and a man of honour, drew up, with his advice, a letter to Ferdinand, beseeching him, as he valued the independence of his country and his personal safety, not to proceed to Bayonne. Pignatelli was in the tyrant's interest, and intercepted the messenger.

Their measures were soon resolved on. Savary returned to Vittoria with a letter from Buonaparte to Ferdi-

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nand. It began by acknowledging the receipt of that letter which the Prince had written respecting the projected marriage before the affair of the Escurial, and the receipt of which Buonaparte had formerly denied. "Your Highness," said he, (for the title of king was carefully withheld,) "will permit me, under the present circumstances, to address you with frankness and sincerity. I expected that, on my arrival at Madrid, I should have persuaded my illustrious friend to make some necessary reforms in his dominions, which would give considerable satisfaction to the public feeling. The removal of the Prince de la Paz appeared to me indispensable to his happiness and the interests of his people. I have frequently expressed my wishes that he should be removed; and, if I did not persevere in my application, it was on account of my friendship for King Charles, and a wish, if possible, not to see the weakness of his attachments. O wretchedness of human nature! imbecility and error! such is our lot. The events of the North retarded my journey, and the occurrences at Aranjuez have supervened. I do not constitute myself judge of those events: but it is very dangerous for kings to accustom their subjects to shed blood, and to take the administration of justice into their own hands. I pray God that your Highness may not one day find it so. It would not be conformable to the interests of Spain to proceed severely against a Prince who is united to one of the Royal Family, and has so long governed the kingdom. He has no longer any friends; as little will your Royal Highness find any should you cease to be fortunate;—the people eagerly avenge themselves for the homage which they pay us."

This was the language of a tyrant, who felt that he held his power by no other tenure than that of force, and reconciled himself to his own usurpation by a base philosophy,—thinking ill of human nature because he could not think well of himself. What followed was more remarkable. "How (said he) could the Prince de la Paz be brought to trial without implicating the King and Queen in the process of exciting seditious passions, the result of which might be fatal to your crown? Your Royal Highness has no other right to it than what you derive from your mother. If the cause injures her honour, you destroy your own claims. Do not give ear to weak and perfidious councils. You have no right to try the Prince de la Paz; his crimes, if any are imputed to him, merge in the prerogative of the Crown. He may be banished from Spain, and I may offer him an asylum in France."

With respect to the abdication, Buonaparte said, that, as that event had taken place when his armies were in Spain, it might appear in the eyes of Europe and of posterity as if he had sent those troops merely to expel a friend and ally from his throne. As a neighbouring sovereign, it became him, therefore, to inform himself of all the circumstances before he acknowledged the abdication.—He added, "I declare to your Royal Highness, to the Spaniards, and to the whole world, that, if the abdication of King Charles be voluntary, and has not been forced upon him by the insurrection and tumults at Aranjuez, I have no difficulty in regarding and acknowledging your Royal Highness as King of Spain. I am therefore anxious to have some conversation with you on this subject. The circumspection which I

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have observed upon this point ought to convince you of the support you will find in me, should it ever happen that factions of any kind should disturb you on your throne. When King Charles informed me of the affair of the Escurial, it gave me the greatest pain, and I flatter myself that I contributed to its happy termination. Your Royal Highness is not altogether free from blame; of this the letter which you wrote to me, and which I have always wished to forget, is a sufficient proof. When you are king, you will know how sacred are the rights of the throne. Every application of an hereditary Prince to a foreign Sovereign is criminal." This language seems to show, that Ferdinand's letter related to something more than the proposal of marriage. That marriage, Buonaparte said, accorded, in his opinion, with the interests of his people, and he regarded it as a circumstance which would unite him by new ties to a House whose conduct he had had every reason to praise since he ascended the throne.

A threat was then held out.—— "Your Highness ought to dread the consequences of popular commotions. It is possible that assassinations may be committed upon some stragglers of my army, but they would only lead to the ruin of Spain. I have learnt, with regret, that some letters of the Captain-General of Catalonia have been circulated at Madrid, and that they have had the effect of exciting some irritation." After this menace, Buonaparte assured the young king that he had laid open the inmost sentiments of his heart, and that, under all circumstances, he should conduct himself towards him in the same manner as he had done towards the king his father; and he concluded with this hypocritical form,—"My Cousin, I pray God to take you into his high and holy keeping."

Such a letter might well have alarmed Ferdinand; but he had advanced too far to recede, and the French troops in the neighbourhood of Vittoria surrounded him, ready, no doubt, to intercept his retreat, if he should attempt it. Cevallos and his other counsellors, and the people of Vittoria, besought him not to advance. On the other hand, General Savary assured him, with the most vehement protestations, that the Emperor took the greatest interest in his welfare, and he offered to pledge his life, that, within a few minutes after his arrival at Bayonne, he would be recognized as King of Spain and the Indies. The Emperor, he said, to preserve his own consistency, would begin by giving him the title of Highness; but he would presently give him that of Majesty, and, in three days, every thing would be settled; and he might immediately return to Spain. Confused, terrified, feeling himself in the power of Buonaparte, the only ease he could find was in yielding implicit belief to these representations. His credulity can hardly be condemned.—The treachery was too complicated, too monstrous, to be suspected.—Centuries had elapsed since any act of similar perfidy had stained the history of Europe.

He proceeded, and crossed the stream which divides the two kingdoms. Scarcely had he set foot on the French territory, before he remarked, that no one came to receive him; a neglect more striking, as he had travelled so far to meet the Emperor. At St Jean de Luz, however, the mayor made his appear-

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ance, attended by the municipality. Too humble to be informed of Buonaparte's designs, and probably too honest to suspect them, he came to the carriage and addressed Ferdinand, expressing, in the most lively manner, the joy he felt at having the honour of being the first person to receive a sovereign, the friend and ally of France. Shortly afterwards, he was met by the grandees, who had been sent to compliment the Emperor: their account was sufficiently discouraging; but he was now near Bayonne, and it was too late to turn back. The Prince of Neufchatel (Berthier) and Duroc, the marshal of the palace, came out to meet him, and conduct him to the place which had been appointed for his residence—a place so little suitable to such a guest, that he could not for a moment conceal from himself, that it marked an intentional disrespect. Before he had recovered from the ominous feeling which such a reception occasioned, Buonaparte, accompanied by many of his generals, paid him a visit. Ferdinand went down to the street door to receive him; and they embraced with every token of friendship. The interview was short, and merely complimentary; Buonaparte again embraced him at parting.—The kiss of Judas Iscariot was not more treacherous than this Corsican embrace.

Ferdinand was not long suffered to remain uncertain of his fate.—Buonaparte, as if to prove to the world the absolute callousness of his heart—as if he derived an unnatural pleasure in acting the part of the deceiver, invited him to dinner,—sent his carriage for him,—came to the coach steps to receive him,—again embraced him, and led him in by the hand. Ferdinand sat at the same table with him as a friend, a guest, and an ally; and no sooner had he returned to his own residence, than General Savary, the same man who, by his persuasions and solemn protestations, had led him on from Madrid, came to inform him of the Emperor's irrevocable determination, that the Bourbon dynasty should no longer reign in Spain; that it was to be succeeded by the Buonapartes; and therefore, Ferdinand was required, in his own name, and that of all his family, to renounce the crown of Spain and of the Indies in their favour.

Some danger had undoubtedly been anticipated by Cevallos, the Duke del Infantado, and Escoiquiz, when they protested so urgently against his advancing from Vittoria; and he himself could not have been without misgivings. They might have apprehended, that the abdication should not immediately be acknowledged, or that it might even have been set aside;—perhaps, that a cession of territory might be demanded. Among the many projects of political changes which are current among the French, and evidently sometimes thrown out by the government, to prepare the public feeling for those which are actually to be effected, it had more than once been said, that France designed to extend her frontiers to the Ebro, giving Portugal to Spain in exchange for the ceded * provinces. But their gloomiest forebodings had never ima-

* Another rumour, which prevailed at the close of the preceding year, was, that Buonaparte had offered the crown of Spain to his brother Lucien; and that the Prince of Asturias was to be intruded upon Portugal. It is not unlikely that he may have held out such a temptation to his brother. But Lucien has "chosen the better path," and will be remembered with honour hereafter.

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gined any thing like this unequalled villainy. Astonished as they were, and completely at the mercy of the tyrant, who, by such repeated falsehoods, had decoyed them into his hands, they did not lose their courage. And when Cevallos, on the following day, was summoned to the palace, to discuss the terms of renunciation with M. Champagny (the Minister of Foreign Affairs), he complained of the perfidy which had been practised, protested in Ferdinand's name against the violence done to his person, in not permitting him to return to Spain; and, as a catagorical and final answer to the Emperor's demand, declared that the King neither could nor would renounce his crown; he could not do a prejudice to the individuals of his own family, who were called to the succession by the fundamental laws of the kingdom: and still less could he consent to the establishment of another dynasty, it being the right of the Spanish nation to elect another family, whenever the present should become extinct.

M. Champagny replied to this, by insisting on the necessity of the renunciation, and contending that the abdication of the father-king had not been voluntary. Of this assertion, which was as ill-timed as it was irrelevant, Cevallos readily availed himself, expressing his surprise that, while they condemned the abdication of Charles, as not having been his own free act, they, at the same time, were endeavouring to extort a renunciation from Ferdinand. He then entered into details designed to prove that no violence had been done to the father-king, either by the people, the prince, or any other person, and that he had retired from government by his own unbiassed will. But Cevallos protested against acknowledging the smallest authority in the emperor to intermeddle with matters which were purely domestic, and exclusively belonged to the Spanish government; following, he said, in this respect, the example of the cabinet of Paris, which rejected, as inadmissible, the applications of the King of Spain in behalf of his ally and kinsman Louis XVI. It was of little consequence that Ferdinand's minister triumphed in argument.—M. Champagny abruptly turned the subject, by saying that the emperor never could be sure of Spain while it was governed by the Bourbon dynasty; for that family must necessarily regret to see its elder branch expelled from France. Cevallos answered, that, in a regular system of things, family prepossessions never prevailed over political interests, of which the whole conduct of Charles IV., since the treaty of Basle, was a proof. Every reason of policy induced Spain to maintain a perpetual peace with France, and there were reasons why the continuance of that system was not of less importance to the emperor. The generosity and loyalty of the Spaniards were proverbial; from that loyalty they had submitted to the caprices of despotism; and the same principle, if they saw their independence and the security of their sovereign violated, would call forth their well-known valour. If so atrocious an insult were committed, France would lose the most faithful and useful of her allies; and the emperor, by the artifices and falsehoods with which he entrapped the king to Bayonne, in order there to despoil him of his crown, would have so effectually stained his own character, that no confidence hereafter could be placed

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in treaties with him; and war with him could be concluded by no other means than that of total destruction and extermination.

Buonaparte was listening to this conference. He lost patience now, and ordering Cevallos into his own cabinet, the violence of his temper broke out. He called that minister traitor, for continuing to serve the son in the same situation which he had held under the father; he accused him of having maintained, in an official interview with General Moutheon, that Ferdinand's right to the crown stood in no need of his recognition, though it might be necessary to the continuance of his relations with France. and he reproached him still more angrily for having said to a foreign minister at Madrid, that, if the French army offered any violation to the integrity and independence of the Spanish sovereignty, 300,000 men would convince them that a brave and generous nation was not to be insulted with impunity.—The tyrant then entered upon the business of the renunciation, which he was determined should be made; and finding that Cevallos still insisted upon the rights of his master, the reigning dynasty, and the people of Spain, he concluded the conversation by these remarkable and characteristic words:—"I have a system of policy of my own: you ought to adopt more liberal ideas: to be less susceptible on the point of honour; and not sacrifice the prosperity of Spain to the interest of the Bourbon family."

Having found Cevallos so little inclined to yield, Ferdinand was informed that he must appoint another person to carry on the negociation. While he was deliberating whom to chuse, one of the French agents insinuated himself into the confidence of Escoiquiz, and persuaded him to pay a visit to Champagny, from whom he received the propositions of Buonaparte in writing.—These, which were to be considered as the tyrant's definitive demands, from which he would not recede, and which were the most favourable he would grant, declared his irrevocable determination that the Bourbon dynasty should no longer reign in Spain, and that one of his brothers should possess the throne. The complete integrity of that kingdom and all its colonies was to be guaranteed, together with the preservation of religion and property. If Ferdinand agreed to renounce his rights in his own name, and that of his family, the crown of Etruria should be conferred upon him according to the Salique law; and the emperor's niece be given him in marriage immediately, if he chose to demand her, upon the execution of the treaty. If he refused, he should remain without compensation, and the emperor would carry his purposes into effect by force. When Ferdinand had received these demands, he invested Don Pedro de Labrador, honorary counsellor of state, in whose talents he had great reliance, with full powers, instructing him to present them to the French minister for foreign affairs, and to demand his full powers in return, that the proposals of Buonaparte might be communicated in an authentic manner. The instructions given him, which were drawn up by Cevallos, were to ask M. Champagny if King Ferdinand were at full liberty?—if he were so, he would return to his dominions, and there give audience to the plenipotentiary whom the empe-

April 27.

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ror might depute: if he were not, all acts at Bayonne were nugatory, and could have no other effect than to stain the reputation of Buonaparte before the whole world. Ferdinand, he was charged to say, was resolved not to yield to the emperor's demands: neither his own honour, nor his duty to his subjects, permitting him. He could not compel them to accept of the Buonaparte dynasty, much less could he deprive them of their right to elect another family to the throne, when the reigning one should be extinct. It was not less repugnant to his feelings to accept of the throne of Etruria as a compensation; that country was under the authority of its lawful sovereign, whom he would not prejudice, and he was contented with the kingdom that providence had given him.

When Labrador presented his powers, and required the usual form in return, M. Champagny replied, these things were mere matters of form, and wholly unconnected with the essential object of the negociation. Buonaparte, indeed, had determined to force from Ferdinand the form of a voluntary renunciation, but he and his ministers considered all other forms as useless. The Frenchman proceeded to talk of the propositions: Labrador declared he could discuss no subject whatever, till the previous formalities had been observed: and asked if the king were at liberty? The answer was, there could be no doubt. Then, said he, he should be restored to his kingdom; but M. Champagny replied, that, with respect to his return to Spain, it was necessary he should come to a right understanding with the emperor, either personally or by letter. Already, Ferdinand had had sufficient reason to feel himself a prisoner; this language was such as could leave no doubt. In order, however, that the violence might be apparent and notorious, Cevallos addressed *April 28.* a note to the French minister of state, saying, that the king had left Madrid with the intention of meeting the emperor at Burgos, on the assurances which the Grand Duke of Berg, the ambassador Beauharnois, and General Savary, had given of his approach; that, in consequence of the agitation of the public mind in Spain, it was impossible to answer longer for the tranquillity of the people, especially as they were apprized that their king had now been six days at Bayonne. He had, in the most solemn manner, promised them on his departure that he would speedily return. This, therefore, he was about to do; and he now made known his intentions, that they might be communicated to the emperor, whose approbation they would doubtless meet; he should be ready to treat, in his dominions, on all convenient subjects, with any person whom it might please his imperial majesty to authorize. No answer was returned to this dispatch; but the spies within the palace and the guards without were doubled.--- A guard at the door even ordered the king and his brother one night to retire to their apartments. Ferdinand's mind was not yet so subdued to his fortunes as to brook this insult. He complained bitterly of it; and the governor in consequence soothed him with courteous language, and expressed his disapprobation of such conduct. The act, however, was repeated; and, not chusing to expose himself a third time to insults, which he had no means of resenting, he abstained from going out.

Buonaparte had expected that

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Ferdinand would more easily be intimidated into compliance; in that case he would have recognized the validity of the father's abdication; which, in fact, he did virtually acknowledge, while treating with the son for his renunciation. He now found it necessary to alter his plan of proceedings, and ordered Murat to send off Charles and the queen as expeditiously as possible to Bayonne. There was no danger of exciting any popular commotion by these circumstances; but the deliverance of Godoy was also to be effected; and artifice must be employed for this, unless he resorted immediately to force, which it was his purpose to avoid till the whole of the royal family were in his hands. The release of this favourite had been requested of Ferdinand during his stay at Vittoria. He replied, that he had promised to his people to publish the result of a process, on which the honour of many of his subjects, and the preservation of the rights of the crown depended. Throughout the whole extent of Spain, he said, there was not a single district, however small, which had not addressed complaints to the throne against that prisoner. The joy at his arrest had been general, and all eyes were fixed upon the proceedings. Nevertheless, he gave his royal word, that, if, after a full examination of the case, Godoy should be condemned to death, he would remit that punishment in consequence of the emperor's interposition. At the time when Ferdinand returned this answer to Buonaparte, he received advices from the junta of government that Murat had required them to release Godoy; threatening, if they refused, that he would deliver him by force. They were informed, in reply, of the answer which had been sent to Bayonne, and instructed to tell the Grand Duke, if he renewed his applications, that the business was in treaty between the two sovereigns, and that the result depended exclusively on the decision of the king.

The French have at all times had less public faith than any other nation in Europe; but whether under their old monarchy, their democracy, or their present absolute tyranny, they have effectually protected their agents and partizans in other countries—a duty which even its obvious policy has not taught this government to perform. Godoy had been the creature of France, and Buonaparte was resolved to save him:—he treated, therefore, the letter of Ferdinand with contempt; and, having recourse to direct falsehood, sent information to Murat, that the Prince of Asturias had put the prisoner entirely at his disposal, and ordered him to demand and obtain the surrender of his person. A note was accordingly delivered to the Junta, in Murat's name, by General Belliard, demanding the prisoner. This, he said, was only a new proof of the interest felt by the Emperor for the welfare of Spain; for his Imperial Majesty could not recognize as King any other than Charles IV.; and, by removing the Prince de la Paz to a distance, he wished to deprive malevolence itself of the possible belief, that that monarch would ever restore him to confidence and power. One member of the government, Don Francisco Gil, protested against yielding to the demand, because it was not authorized by Ferdinand their King: the others were intimidated by the threats of Murat, and commanded the Mar-

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quis de Castellar, to whose custody Godoy had been committed, to deliver him up. That nobleman reluctantly obeyed, and he was removed by night. Had the people been aware that this minister was thus to be conveyed away from justice, that indignation which soon afterwards burst out, would probably have manifested itself now, and Godoy would have received from their hands the fate which he deserved. He was immediately sent under a strong escort to Bayonne.

In obtaining the release of this wretch, Buonaparte had probably no other view at the time, than of preserving that uniform system of protection towards his agents, which pride as well as policy dictated. But when he found his designs unexpectedly impeded by the firmness which Ferdinand and his counsellors then displayed, he perceived that Godoy might yet be useful; and when Charles arrived at Bayonne, the favourite was restored to him, and reinstated as minister, that he might, by a last act of office, consummate his own infamy, and complete the destruction of the dynasty which had raised him, and the country which had given him birth. Willing to be revenged on Ferdinand, and now also hating Spain, Godoy, who had hitherto seconded the projects of Buonaparte, because he was duped by the hopes of aggrandizement, now forwarded them with equal eagerness for the sake of vengeance. It was necessary that Charles should be persuaded to treat his son as an enemy, a rebel, and a traitor; and that, while he punished him as such, for having accepted his abdication, he should be made to resume the crown, solely for the purpose of transferring it to a stranger; and that stranger one from whose treacherous and unprovoked aggressions he himself but a few weeks before attempted to fly to America, abandoning his kingdom. To this resolution, monstrous as it was, the unhappy King was brought. Cevallos supposes that he was compelled to it;—it is more probable that the ascendancy of the favourite was sufficient to make him fancy it his own act and deed. Fear might have extorted the renunciation; but the manner in which he personally treated his son sprung evidently from his own feelings, exasperated by Godoy.

Ferdinand had now only to chuse between degradation and destruction. He made, however, one effort in behalf of himself and of Spain, and addressed his father in a letter not less dignified than respectful, in which he at the same time asserted his right to the crown, and his readiness to restore it. The King, he said, had admitted that the proceedings at Aranjuez were in no degree occasioned or influenced by him; and had told him, that the abdication had been voluntary, and that it was the happiest act of his life. He still declared, that it was an act of his own free-will; but professed that it had been made with the mental reservation of a right to resume the throne whenever he thought proper; and now he reclaimed it, avowing at the same time, that he would neither return to the throne nor to Spain. The fundamental laws of the kingdom conferred the crown upon himself, he said, upon his father's free resignation of it. His father had freely resigned; and yet now reclaimed the crown, without any intention of retaining it. Here, then, he required an act of duty which the son could not perform, without violating the duty which he owed to his subjects. But

May 1.

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both might be reconciled; and Ferdinand would willingly return the crown to his father, on condition, 1. That they both returned to Madrid. 2. That a Cortes should be assembled there; or, if Charles objected to so numerous a body, that all the tribunals and deputies of the kingdom should be convoked. 3. That the renunciation should be executed in due form, in the presence of the council, and the motives stated which induced him to make it: These, Ferdinand said, were the love which he bore to his subjects, and his anxiety to secure their tranquillity, and save them from the horrors of a civil war. 4. That the King should not be accompanied by individuals who had justly excited the hatred of the whole nation. 5. That, if the King persisted in his present intention, neither to reign in person nor return to Spain, Ferdinand should govern in his name. There is no one, said he, who can have a claim to be preferred before me. I am summoned thereto by the laws, the wishes, and the love of my people, and no one can take more zealous and bounden interest in their welfare.

In the answer to the letter, the style, as well as the purposes of Buonaparte, are apparent. Charles began, by declaring, that Spain could be saved by the Emperor alone. From the peace of Basle, he had seen that the essential interests of his people were inseparably connected with the preservation of a good understanding with France; and he had spared no sacrifices to preserve it. Forced by the aggression of England into the war, Spain had suffered more by it than any other state, and the consequent calamities had been unjustly attributed to his ministers; nevertheless, he had the happiness of seeing the kingdom tranquil within, and was the only one, among the Kings of Europe, who sustained himself amid the storms of these latter times. This tranquillity Ferdinand had disturbed: misled by the aversion of his first wife towards France, he thoughtlessly participated in the prejudices which prevailed against the minister and his parents. "It became necessary for me," said Charles, "to recollect my own rights, as a father and a king. I caused you to be arrested;—I found among your papers the proof of your crime. But I melted at seeing my son on the scaffold of destruction. I forgave you; and, from that moment, was compelled to add to the distresses I felt for the calamities of my subjects, the afflictions occasioned by the dissentions in my own family."

May 2.

The part which followed must have been designed by Buonaparte to conceal the manifest proofs of his own hand, which appear in the rest of the letter. The Emperor of France, it was here said, believing that the Spaniards were disposed to renounce his alliance, and seeing the discord that prevailed in the royal family, inundated the Spanish provinces with his troops, under various pretences. While they occupied the right bank of the Ebro, and appeared to aim only at maintaining the communication with Portugal, the King was not alarmed; but when they advanced towards the capital, then he felt it necessary to collect his army round his person, that he might present himself, in a manner becoming his rank, before his august ally—all whose doubts he should have removed. For this purpose, his troops were ordered to leave Portugal and Madrid, not that he might abandon

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his subjects, but that he might support with honour the glory of the throne. Extensive experience had also convinced him, that the Emperor of the French might entertain wishes conformable to his particular interest, and to the policy of the vast system of the continent, which might be inconsistent with the interests of the Spanish Bourbons. Ferdinand availed himself of these circumstances, to accomplish the conspiracy of the Escurial. Old, and oppressed by infirmity, his father was not able to withstand this new calamity;—he repaired, therefore, to Buonaparte, not as a king, not at the head of his troops, not with the pomp of royalty, but as an unhappy and abandoned prince, who sought refuge and protection in his camp. To that emperor he was indebted for his own life, and for the lives of the queen, and of the minister whom he had appointed and adopted into his family. Every thing now depended upon that great monarch. "My heart," said Charles, "has been fully unfolded to him.—He knows all the injuries I have received, and the violence that has been done to me;—he has declared that you shall never be acknowledged as king; and that the enemy of his father can never acquire the confidence of foreign states. He has, in addition to this, shown the letter written with your own hand, which clearly shews your aversion to France.

"Things being thus situated," he continued, "my rights are clear, and my duties are much more so. It is incumbent upon me to prevent the shedding of the blood of my subjects; to do nothing at the conclusion of my career, which shall carry fire and sword into every part of Spain, and reduce it to the most horrible misery. Certainly, if faithful to your primary obligations, and to the feelings of nature, you had rejected those perfidious councils, and placed yourself constantly at my side, for the defence of your father; if you had waited the regular course of nature, which would have elevated you in a few years to the rank of royalty, I should have been able to conciliate the policy and interests of Spain, with that of all. For six months, no doubt, matters have been in a critical situation; but notwithstanding such difficulties, I should have obtained the support of my subjects. I should have availed myself of the weak means which yet remained to me, of the moral aid which I should have acquired, meeting always my ally with suitable dignity, to whom I never gave cause of complaint; and an arrangement would have been made which would have accommodated the interests of my subjects to those of my family. But in tearing from my head the crown, you have not preserved it for yourself; you have taken from it all that is august and sacred in the eyes of mankind.

"Your behaviour with respect to me—your intercepted letters, have put a brazen barrier between yourself and the throne of Spain; and it is neither your own interest, nor that of the country, that you should reign in it. Avoid lighting a fire which will unavoidably cause your complete ruin, and the degradation of Spain.

"I am king by the right given me by my forefathers: my abdication was the result of force and violence; I have nothing to receive from you; nor can I consent to the convocation of the cortes—an additional absurdity, suggested by the

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inexperienced persons who attend you.

"I have reigned for the happiness of my subjects, and I do not wish to bequeath them civil war, mutiny, popular juntas, and revolution. Every thing should be done for the people, and nothing by the people: to forget this maxim, were to become the accomplice of all the crimes that must follow its neglect. I have sacrificed the whole of my life to my people; and in the advanced age to which I have arrived, I shall do nothing in opposition to their religion, their tranquillity, and their happiness. I have reigned for them; I will constantly occupy myself for their sakes; I will forget all my sacrifices; and when at last I shall be convinced that the religion of Spain, the integrity of her provinces, her independence, and her privileges are preserved, I shall descend to the tomb, forgiving those who have embittered the last years of my life."

However suspicious were the circumstances under which the decree of abdication appeared, the probabilities that that decree was obtained by compulsion, are not in the slightest degree strengthened by the testimony of Charles at Bayonne, when he was in far stricter duresse, and far greater danger, than at Aranjuez. But, in every line of this letter, the language of Buonaparte may be recognized: there is his dread and hatred of popular assemblies—his affectation of philosophy—his perpetual reference to force, as that to which all things must bow; and there is one of those direct, plain, palpable, demonstrable falsehoods, of which no other man, who ever affected greatness, has so often and so impudently availed himself. If Ferdinand originally intended to supplant his father, it was by the help of France that he hoped to effect it. The only act of conspiracy proved against him and his party was, that they had attempted to form this alliance. For this very act, Buonaparte, in his letter to Vittoria, had censured him; and yet, one reason here assigned for depriving him of the crown, is his hatred of France. There needs no reasoning to detect so gross an artifice.

Ferdinand's answer to this extraordinary paper is, like his former letter, highly honourable to himself and his advisers. He calmly reminded his father of the inconsistencies in the charges thus adduced against him. As for the affair of the Escurial, he said, eleven counsellors, chosen by the king himself, were unanimously of opinion, that there was no ground for the accusation; nor could this opinion have been obtained by undue means, wholly without influence as he was at that time, and virtually a prisoner. The king spoke of the distrust occasioned by the entrance of so great a foreign force into Spain:—might he be told, that no alarm need have been given by troops entering as friends and allies? He said, that his own troops were collected at Aranjuez to support the glory of the throne:—might he be reminded, that he had given orders for a journey to Seville, and the troops were to keep open that road? Every person believed there was an intention of emigrating to America, manifest as it was that the royal family were going to the coast of Andalusia; and it was this universal belief which occasioned the tumults at Aranjuez. In those tumults, the king knew that his son took no other part than by his own command, to

May 4.

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protect from the people the object of their hatred, who was believed to be the proposer of this journey. The emperor, in a letter to Ferdinand, had said, his motive was to induce the king to make some reforms, and separate from his person the Prince de la Paz, whose influence was the cause of every calamity. The universal joy which his arrest produced throughout the whole nation, evidently proved that this was indeed the case. As to the rest, Charles himself was the best witness that, in the tumults at Aranjuez, not a word was whispered against him, nor against any one of the royal family:—on the contrary, he was applauded with the greatest demonstrations of joy, and heard the loudest professions of fidelity to his august person. On this account, the abdication surprised every one, and no person more than Ferdinand himself. No one expected, or would have solicited it.—"Your majesty," said Ferdinand, "yourself communicated your abdication to all your ministers, enjoining them to acknowledge me as their natural lord and sovereign. You communicated it verbally to the diplomatic body, professing that your determination proceeded from your spontaneous will, and that you had before determined upon it. You yourself told it to your beloved brother, adding, at the same time, that the signature which your majesty had put to the decree of abdication was the happiest transaction of your life; and, finally, your majesty told me personally, three days afterwards, that I should pay no attention to any assertion of the abdication being involuntary, inasmuch as it was in every respect free and self-originating."

He proceeded to comment upon the charge of his hatred towards France. In what had it appeared? Were not the various letters which, immediately after the abdication, he addressed to the emperor, so many proofs that his principles, with respect to the relations of friendship and strict alliance happily subsisting between the two countries, were those that the king had inspired him with? Had he not shown his unlimited confidence in the emperor, by going to Madrid the day after the Grand Duke of Berg had entered that city with a great part of his army, and garrisoned it; so that, in fact, to go there, was to deliver himself into his hands? Had he not, in conformity to the principles of alliance, and to his father's wish, written to request a princess of the house of Buonaparte in marriage? Had he not sent a deputation to Bayonne to compliment the emperor in his name? then persuaded his brother the infante Don Carlos to set off, that he might pay his respects to him on the frontier? Lastly, had he not left Madrid for the same purpose himself, on the faith of the assurances given him by the French ambassador, by the Grand Duke, and by General Savary, who had just arrived from France, and who solicited an audience, to tell him that the emperor only expected him to follow the same system towards France as his father had adopted, in which case he should be acknowledged as king of Spain, and all the rest would be forgotten? How any of his letters, proving an enmity towards France, should have come into the emperor's hands, he could not comprehend, knowing, as he did, that he had never written any.

Ferdinand then referred to his former proposals. "I signified," said he, "my disposition to renounce

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the crown in your favour, when the cortes should be convened; and if not convened, when the council and deputies of the kingdom should be assembled; not because I thought this was necessary to give effect to the renunciation, but because I thought it convenient to avoid injurious novelties, which frequently occasion divisions and contentions, and to have every thing attended to which respected your dignity, my own honour, and the tranquillity of the realm. If your majesty should not choose to reign in person, I will govern in your royal name, or in my own; for nobody but myself can represent your person, possessing, as I do, in my own favour, the decision of the laws, and the will of the people: nor can any other person have so much interest in their prosperity.

"I repeat again, that, in such circumstances, and under such conditions, I am ready to accompany your majesty to Spain, there to make my abdication in the form expressed. But in respect to what you have said of not wishing to return to Spain, with tears in my eyes, I implore you, by all that is most sacred in heaven and earth, that in case you do not choose to re-ascend the throne, you will not leave a country so long known to you, in which you may choose a situation best suited to your injured health, and where you may enjoy greater comforts and tranquillity of mind than in any other.

"Finally, I beg your majesty most affectionately, that you will seriously consider your situation, and that you will reflect on the evil of excluding our dynasty for ever from the throne of Spain, and substituting in its room the imperial family of France. This step we cannot take without the express consent of all the individuals who have, or may have, a right to the crown; much less without an equally-expressed consent of the Spanish people, assembled in cortes in a place of security; and besides, being now in a foreign country, it would be impossible that we could persuade any one that we acted freely; and this consideration alone would annul whatever we might do, and might produce the most fatal consequences.

"Before I conclude, your majesty will permit me to say, that the counsellors whom you call perfidious, have never advised me to derogate from the love, respect, and honour that I have always professed to your majesty, whose valuable life I pray God to preserve to a happy and good old age."

On the day after this letter was written, Buonaparte had an hour's conference with Charles; at the conclusion of which, Ferdinand was called in by his father, to hear, in the presence of this tyrant, and of the queen, expressions, says Cevallos, so disgusting * and humiliating, that I do not dare to record them. While all the *May 5.*

* It was stated in some unofficial articles, that in one of these conferences the queen declared Ferdinand to be illegitimate. Buonaparte, it will be remembered, in his letter to the prince, told him he had no other right to the crown than what he derived from his mother. Upon this subject the following paragraph appeared in Cobbett's Register, of July 2d, 1808. "Ferdinand has the consolation of knowing, that he is not the *only* bastard fruit of a royal mother. It might be somewhat *indelicate* to *investigate* such matters; but history informs us of a great many bastards, *female* as well as male, *who have put forward their pretensions to a*

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test were seated, he was kept standing, and his father ordered him to make an absolute renunciation of the crown, under pain of being treated, with all his household, as an usurper, and a conspirator against the lives of his parents. For the sake of his adherents he submitted, and delivered in a renunciation, couched in such terms as at once to imply compulsion, and reserve the condition of his father's return to Spain. "His former renunciation," he said, "he had believed himself bound to modify by such conditions as were equally required by the respect due to the king, the tranquillity of his dominions, and the preservation of his own honour. These modifications, to his great astonishment, had excited indignation in the king, who, without any other grounds, had thought proper, in the presence of Buonaparte and of his mother, to revile him with the most humiliating appellations, and to require from him an unconditional renunciation, on pain of being treated, with all those of his council, like a traitor. Under these circumstances, said he, I make the renunciation which your majesty commands, that you may return to the government of Spain in the same state as when you made the voluntary abdication in my * favour."

May 6.

Ferdinand was not aware, when he executed this form of renunciation, that his father was no longer qualified to receive it. The tyrant

crown; and, the worst of it is, we find that nations, that millions of men, have ranged themselves on different sides, have vexed, harassed, lacerated, and killed one another, in disputes and wars about the *honour* of such bastardized gentry.—This species of madness is, however, at an end, I hope. I do not think that any people could now be found to cut one another's throats for the sake of maintaining the *pretended rights of a bastard girl* or boy. In this respect, the world is certainly grown wiser than it was. What a shocking thing it would be to see a whole nation involved in confusion; to see it desolated; to see the people (wise and virtuous people too) stained with each other's blood, and all this in consequence of the freaks of a woman, who, perhaps, might owe it merely to her dignity of place, that she was not found amongst her coarse-skinned and big-mouthed sisters, in the rear ranks of the stews. Mind, reader, I have been speaking here merely upon the *supposition* that the account of the late Queen of Spain's declaration be true; for, as to myself, I cannot suffer the belief of the fact to enter my mind. *Princes*, indeed, not only have bastards, sometimes, but *boast* of them, and not unfrequently when it is pretty well known, that they are *perfectly innocent of the guilt they so generously assume.* To see a prince with a troop of bastards, whether his own or not, at his heels, would be no very seemly sight, especially while bastardizing is held to be criminal in the people. But, for a *Queen*, reigning 'by the grace of God,' or for a gracious *Princess*, to have a bastard, is not to be believed, though averred by half a score of witnesses, the single oath of either of whom would hang a hundred forgers or coiners. If the account be true, which has been given of the conduct of the Queen of Spain, her royal husband seems to have acted a very amiable part. He must be, upon this supposition what Pope calls 'a well-bred cuckold.' The good man said not a word, which, though *not without an example*, perhaps, is certainly worthy of imitation amongst all 'gentlemanly' husbands, whose fate bears a resemblance to his."

This passage is most remarkable: either it is mere ribaldry, or there never appeared any thing more mischievous, more treasonable in its import.

* Appendix, No. XVIII.

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had not waited for this preliminary to conclude his mock negociations with Charles. This wretched puppet addressed an edict on the 4th to the supreme Junta at Madrid, nominating Murat lieutenant-general of the kingdom, and in that quality, president of the government. The reason assigned was, that one same direction might be given to all the forces of Spain, in order to maintain the security of property and public tranquillity against enemies, as well exterior as interior. All persons, therefore, were ordered to obey the Grand Duke's orders. A proclamation to the people accompanied this edict. They were told that their king was occupied in concerting with his ally the emperor, all that concerned their welfare, and they were warned against listening to perfidious men, who sought to arm them against the French, and the French against them. All those who spoke against France were said to be men who thirsted for the blood of the Spaniards, enemies of that nation, or agents of England, whose intrigues would involve the loss of the colonies, the separation of provinces, and a series of years of calamity for the country. "Trust to my experience," said this poor mouthpiece of a perfidious and remorseless tyrant; "and obey that authority which I hold from God and my fathers. Follow my example, and think that, in your present situation, there is no prosperity or safety for the Spaniards, but in the friendship of the great Emperor, our * ally." On the same day, Charles addressed a letter to the supreme council of Castile and the council of Inquisition, informing them, that having resolved, in the present extraordinary circumstances, to give a new proof of affection towards his beloved subjects, he had abdicated all claims upon the Spanish kingdoms, in favour of his friend and ally, the Emperor of the French. The treaty † of resignation, he said, stipulated for the integrity and independence of those kingdoms, and the preservation of Popery, not only as the predominant, but as the sole and exclusive religion in Spain. The councils were ordered to make every exertion in support of the emperor, and, above all, with their utmost care to preserve the country from insurrections ‡ and tumults.

The preamble to the treaty of resignation, states, that the object of the two contracting princes was to save Spain from the convulsions of civil and foreign war, and to place it in the sole position, which, under its present extraordinary circumstances, could maintain its integrity, guarantee its colonies, and enable it to unite all its means to those of France, to obtain a maritime peace. There is something like madness in Buonaparte's feeling respecting the maritime strength of England; it haunts him every where, and breaks out in expressions of hatred upon the most irrelevant occasions. By the first article, Charles ceded all his rights to the throne of Spain and the In-

May 5.

* Appendix, No. XIX.

† There is probably an error in the dates, which we have no means of rectifying; for though the treaty is here said to be signed and ratified, it is not dated till the day after this letter.

‡ Appendix, No. XX.

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lies, having only had in view, he said, during his whole life, the happiness of his subjects, and constantly adhering to the principle, that all the acts of the sovereign ought solely to attend to that object. This cession was represented as the only means which could re-establish order; and it was covenanted, 1. That it took place only on condition that the integrity of the Spanish kingdom should be maintained; that the prince whom it might please the emperor to place on the throne should be independent; and that the limits of Spain were to undergo no alteration. 2. The Catholic, Apostolic, and Roman religion, should be the only one in Spain; no reformed religion should be tolerated, still less should infidelity: these things were to be prevented or punished according to the established usage. 3. All property confiscated since the revolution at Aranjuez should be restored; and all decrees which had been passed against the friends of Charles were declared null and void. 4. Charles having thus secured the prosperity, the integrity, and the independence of his kingdom, (such was the monstrous language of this convention,) the emperor engaged to grant an asylum in his states to him, the queen, the Prince de la Paz, and such of their servants as should chuse to follow them, and who should enjoy in France a rank equivalent to that which they possessed in Spain. 5, 6, 7, 8. The palace of Compeigne, with its parks and forests, should be at the disposal of King Charles during his life, and a civil list of 30,000,000 reals, should be paid him in monthly payments: after his death the queen should have a revenue of 2,000,000, for her dowry. An annual rent of 400,000 livres should be granted to each of the infantes, in perpetuity, reverting from one branch to another, in case of the extinction of one, according to the civil law, and to the crown of France, in case of the extinction of all the branches. It was to be understood that this civil list and these rents were to be looked for exclusively from the treasury of France. The infantes were, however, by a subsequent article, to continue to enjoy the revenues of their commanderies in Spain. 9, 10. The castle of Chambord, with its parks, forests, and farms, were given by the emperor to King Charles, in full property, being in exchange for all the allodial and particular property appertaining to the crown of Spain, but possessed personally.*—This convention was signed by General Duroc, grand marshal of the palace, on the part of Buonaparte, and on the part of Charles by Godoy, under his titles, Spanish and Portugueze, of Prince de la Paz, and Count of Evora-monte. Thus did this man, the last and worst of that succession of favourites who have been the curse of Spain, consummate his own crimes, and, as far as in him lay, the total degradation of his country; rejoicing probably in the revenge which he was taking upon a nation, by whom he was so righteously abhorred. Having done his work, he passed on into France, there to pass the remainder of his days, neglected and despised, and to leave behind him a name more infamous than any in Spanish history. One proclamation more was issued

* Appendix, No. XXI.

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in the name of Charles, calling upon all his former subjects to concur in carrying into effect the dispositions of his "dear friend the Emperor Napoleon," and exhorting them to avoid popular commotions, the effect of which could only be havoc, the destruction of families, and the ruin of all.*

Ferdinand had hitherto renounced his right in reference to his father only. A farther renunciation was demanded from him: it was not tamely yielded; and in his last conference with him upon the subject, Buonaparte bade him chuse between cession and death. *Prince, il faut opter entre la cession et la mort.* This is the statement of Cevallos, and it is so probable, and so consistent with the Corsican's character, that it cannot reasonably be doubted. That tyrant long represented the resignation as voluntary on Ferdinand's part; he has, however, at length admitted that force was used, endeavouring, at the same time, to shew that the prince was left at freedom. A proposal, it is said, in this curious statement of the nefarious transaction, was made to him to return to Spain, and he was offered a convoy of French soldiers to escort him to any part of the peninsula which he might chuse. But it was announced to him, that France would immediately make war upon him, and never suffer him to reign; for it was the duty of the emperor to make war for the maintenance of the rights of his crown, and those which had been ceded to him by Charles, and to destroy the projects of the partizans of England. Ferdinand, it is said, would have returned, but not without a promise that the French armies should be withdrawn, or placed under his orders, and this being refused, he preferred securing to himself a peaceful life. This statement has evidently been published to lessen the abhorrence which the plain and faithful narrative of Cevallos has excited wherever it has reached; but force is admitted, even in this statement itself; and if it were true, the atrocity of Buonaparte's conduct would not in the slightest degree be extenuated. The whole system of treachery, from the secret treaty of Fontainbleau, under cover of which troops were introduced into the heart of Spain, to the artifices and repeated falsehoods by which Ferdinand was decoyed into his power, remains the same.

That Ferdinand should at length have yielded, is not to be severely condemned; it is rather to be admired that he should have resisted so long. Even had he been of a more heroic frame, than, from his family and education, there is any reason to suppose, imprisonment, and death, by some dark agency, were all he could expect from farther opposition.—Thus intimidated, he authorised his former tutor, Escoiquiz, to treat with Duroc for the surrender of his own rights, and those of his brothers and his uncle Don Antonio, who had now been sent from Madrid, rather as prisoners, than in any other character. The preamble declared, that the *May* 10. Emperor of the French and the Prince of the Asturias having differences to regulate, had agreed to these terms:—1. That Ferdinand acceded to the cession made by his father, and renounced, as far as might be necessary, the rights accruing to him as Prince of Asturias. 2. The

* Appendix, No. XXII.

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title of royal highness, with all the honours and prerogatives which the Princes of the Blood enjoyed, should be granted to him in France: his descendants should inherit the titles of Prince and Serene Highness, and hold the same rank as the prince-dignitaries of the empire. 3, 4. The palaces, parks, and farms of Navarre, with 50,000 acres of the woods dependent on them, should be given to him, free from incumbrance, in full property for ever; and pass, in default of his heirs, to those of his brother and uncle, in succession: and the title of prince should be conferred, by letters patent and particular, upon the collateral heir to whom this property might revert.—5, 6. 400,000 livres of appanage rent on the treasury of France, payable in equal monthly portions, should be settled on him, with reversion, in like manner, to the Infantes, and their posterity; and a life-rent of 600,000 should be given the prince, the half remaining to the princess, his consort, if he left one to survive him. 7. The same rank and titles should be assigned to the Infantes and their descendants as to the prince; they should continue to enjoy the revenues of their commanderies in Spain, (as had been agreed in the convention with Charles,) and an appanage rent of 400,000 livres, (as also there stipulated,) should be settled on them in perpetuity, with reversion to the issue of Ferdinand.* No mention was made in the treaty of the Queen of Etruria and her son, a boy of eight years old, who, by the doubly-villanous treaty of Fontainbleau, was to have been made king of Northern Lusitania. Involved in what may truly be called the common destruction of their house, they were seized with the Infantes at Madrid, and escorted to Bayonne; and the whole of this unhappy family, now that the mockery of negociation was at an end, were sent into the interior of France.

* Appendix, No. XXIII.

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CHAP. XIV.

Insurrection at Madrid, and Military Murders afterward.—Base Conduct of the Junta of Government, of the Council of Castile, and of the Inquisition.—Address, in the name of Ferdinand, and the Infantes commanding the Spaniards, to submit to Buonaparte's pleasure.—Assembly of Notables convoked at Bayonne, and Joseph Buonaparte nominated by his Brother King of Spain and the Indies.—General Insurrection of the Spaniards.—Formation of the Provincial Juntas; the Junta of Seville takes the lead.—Their Proclamations, and the Measures which they recommend.

THUS had Buonaparte succeeded in dispossessing the house of Bourbon of the throne of Spain. The whole of that family (with the exception of the Infante Don Pedro,* nephew to Charles IV., who had fortunately been adopted by the Portugueze court, and accompanied them to Brazil,) were in his power as prisoners; and, in the character of an ally, he had secured for himself the passes of the Pyrenees, seized the important city of Barcelona, and the strongest places upon the frontier, marched his armies into the very heart of the kingdom, and obtained possession of the capital. The train of perfidy by which he had thus far accomplished his purpose, is unexampled even in the worst ages of history. The whole transaction was, on his part, a business of pure, unmingled wickedness, unprovoked, unextenuated, equally detestable in its motive, its means, and its end.

The Corsican had now displayed himself in his true character. For the mere, selfish, vulgar ambition, of aggrandizing his own family, by transferring his brother Joseph from the throne of Naples to that of Madrid, he had committed an act of usurpation, as impolitic, as it was iniquitous. Spain had been the faithful ally of France,—let Trafalgar witness how fatally for herself! Her fleets were at the disposal of Buonaparte; her armies were occupied in his service in Portugal, and upon the Baltic; her treasures were at his demand, as completely as if Charles had been a tributary king. France

* Son to the late Infante Don Gabriel, whose translation of Sallust is well known, as one of the most magnificent specimens of modern typography. Don Pedro was born in 1786.

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then could gain nothing by this change of dynasty; and the loss of all the advantages which she derived from Spanish America, was hazarded by it, even if Spain herself should passively submit to the insolent intrusion of a stranger, a low-born, low-minded adventurer, base and bloody, who had renewed at Naples an exhibition of those tortures which make the judge as much to be abhorred as the criminal, however great the crime; a wretch, elevated for the mere accident of consanguinity, in an age when all the adventurers by whom he was surrounded, had raised themselves by some species of talent, either in the cabinet or the field: his only merit was, that he was the brother of Napoleon Buonaparte, and sufficiently unprincipled, mean, and cruel, to be his tool and executioner.

As for the pretext, that there existed an English party in Spain, it was notoriously false. If nations who were groaning under the manifold miseries which a bad government occasions, could have looked to England for assistance in their hopes of reform, the continent of Europe would not at this day have been under the iron yoke of France, and half the unhappy men who are forced into the tyrant's armies, slaves themselves, to become the instruments of enslaving others, would have been fighting in their own righteous cause against him. Those Spaniards who felt and lamented the degradation of Spain, founded their hopes of effecting its regeneration upon Buonaparte. There was not any possible way by which he could so effectually have attached the Spaniards to their alliance with France, secured their affections, and strengthened his own immediate and individual interests, (if the vulgarest ambition had not blinded him,) as by connecting his own family with the royal house of Spain, by the projected marriage with Ferdinand, and suffering him and his ministers to make those reforms which would soon have restored to health and strength, a country that was still sound at heart. Buonaparte has never had it in his power to produce such great and extensive good as this opportunity invited, without risk, effort, or any contingent inconvenience. He had only to say, let these things be, and the work of progressive reformation would have begun in Spain and in Spanish America, while he, like a presiding God, might have looked on, and have received the blessings of both countries for his benignant influence.—But no thought of good seems ever to have entered into this tyrant's heart. Like an incarnation of the evil principle, whatever he does originates and ends in evil.

The artifices by which he had thus far accomplished his purpose were of the basest kind. Never, perhaps, was any plot of perfidious ambition so coarsely planned. The term of policy cannot be applied to it; even cunning implies more exertion of talent than was displayed in this whole infamous transaction. Nothing more was required than to employ falsehood and violence equally without remorse; to repeat professions and protestations enough to deceive the prince; and to shed blood enough to intimidate the people. The former object had been effected; and Murat, perceiving a spirit of patriotism in the Spaniards, which neither he nor his master had expected, was eager to give the word for slaughter. He seems, as soon as he entered Madrid, resolved

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to make them feel that they were no longer a free and independent nation, but that they must learn obedience to a military yoke. A French governor of the city had been appointed; a French patrole established; and notice was given, that, as the great-coats for the French troops had not arrived, the heads of the police were to call at every house to receive a contribution of those articles, every person being expected to contribute as many as he could. After the departure of Ferdinand from Madrid, the anxiety and agitation of the people hourly increased;—they knew that he had expected to meet Buonaparte at Burgos; and the tidings that he had crossed the frontier, and proceeded to Bayonne, excited in them as much alarm as wonder. An extraordinary courier arrived every evening from that city;—the intelligence which he brought was never published in the Gazette, but circulated as extracts from private correspondence: the first of these accounts consisted solely of details of the honours with which Ferdinand had been received by the emperor. Subsequent ones became each less satisfactory than the last; hints were given that all was not going on well; and the intentions of the tyrant became more and more developed, till it could no longer be doubted that Ferdinand was to be deprived of his crown.

April 14.

The courier, who was expected on Saturday, the 30th of April, did not arrive;—he was still expected on the following evening, and great multitudes assembled at the Puerto del Sol, and in the other streets near the post-office, anxiously waiting for his news. The French garrison were under arms all that night;—their commanders, "cool spectators of these things, according to their own relation, saw a crisis approaching, and saw it with pleasure."

May 2.

The following morning had been fixed on for the departure of the poor queen of Etruria and her brother, the Infante Don Francisco de Paula, for Bayonne. Many people collected before the palace. It was reported, that the Infante Don Antonio, the president of the provisional government, had been desired, or rather ordered by Murat, to join his brother and nephew at Bayonne; the French general intimating at the same time, that he expected to be appointed regent during his absence: but the infante refused to obey. He had received his power, he said, from the king, his nephew, and only to him in person would he resign it; and he would not abandon his post. In consequence of this act of firmness, Murat recalled some troops to Madrid, which had been ordered to a different station some few days before, and entered the city with them that morning, intending, as was supposed, to seize the person of the infante, and make himself regent. Apprehending this, the people were disposed to resist force by force. A rumour arose, that one of the carriages, when it drove up to the gate, was intended for Don Antonio; and the populace, determined that they would not suffer the last of the royal family to be taken from them, especially as he had been entrusted with the government during their king's absence, cut the traces of the carriage, and forced it back into the palace-yard. Being, however, assured that Don Antonio was not to leave Madrid, they permitted it again to be yoked, and brought out.

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Murat sent one of his aid-de-camps to inquire into this disturbance: the people were disposed to treat him roughly, but some Spanish officers interfered, and rescued him from their hands. The carriages with the queen of Etruria and her brother were now suffered to proceed; the latter, a boy of fourteen, was crying bitterly, and manifestly unwilling to go. This both affected and enraged the people. At this moment, the aid-de-camp returned with a party of French soldiers, and the scene of bloodshed began.

The Spanish troops were locked up in their barracks, and thus prevented from joining the people; some of their officers being, perhaps, in the French interest, and others foreseeing the inevitable issue of so unequal a contest. The people behaved with great spirit: there is, indeed, scarcely upon record an instance of an attempt so brave, and at the same time so hopeless, when all the circumstances are considered. As fast as the alarm spread, every man of the lower ranks, who could find any kind of weapon, armed himself, and hastened to the nearest scene of action. Numbers of the French fell, and their arms were seized by the Spaniards;—but what could the people of a metropolis effect against 60,000 troops in their city and the immediate vicinity, prepared for this insurrection, and eager to take advantage of it; they themselves half armed, without leaders, and without any concerted plan? The French poured into the city from all sides with their flying artillery; their cavalry repeatedly charged the populace; and thirty discharges of grape-shot cleared the streets. The chief scenes of slaughter were the great street of Alcala, the Puerto del Sol, and the Great Square;—the infantry fired vollies into every cross street as they passed; and every window and balcony was aimed at where any person was to be seen. The people, when once dispersed, fled into the houses; they were followed there by the French, and bayonetted wherever they were found—not those alone, as was said in the Moniteur, who had arms in their hands, but in whatever place of concealment they were discovered. Parties of cavalry, also, were stationed at the different outlets of the city, where they cut down all who attempted to escape. The loss of the French in this day's insurrection was carefully concealed; they represented it as trifling; but it appears, upon the best and most impartial testimony which has been obtained, that the greater part of their troops in the city were killed, before their overpowering force from the camps could come up.

Two brave artillery officers, by name Doaiz and Velarde, at the head of a handful of artillerymen and citizens, made for the arsenal; but before they could deliver out the arms, a detachment was sent to secure it. They repelled the first column, having brought a four-and-twenty pounder to bear upon the long narrow street by which the enemy advanced. Two other columns were dispatched against them, who, from the windows and roofs of houses in the neighbourhood, fired on them from both sides. Velarde was killed by a musket ball; Doaiz, having his thigh broken, continued to give his orders sitting, till he received three other wounds, the last of which put an end to his life. Spain will one day erect a monument to the memory of those who perished

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on this day; and there the names of these brave men will be recorded. About two, the firing ceased in all parts, in consequence of the personal interference of the council of Castile and other tribunals, who paraded the streets with many of the Spanish nobility, and an escort of Spanish soldiers and French imperial guards intermixed. It was now hoped that the carnage was at an end; but it is the system of Buonaparte to continue the work of death in cool blood. One of his military tribunals was formed under General Grouchy; tribunals not less disgraceful to the French nation than those by which their own countrymen were sacrificed under Robespierre. By their own account, many thousands of the Spaniards had fallen; nor can it be doubted, but that the slaughter among them must have been very great. This, however, did not satisfy Murat:—those who were spared in the massacre, and made prisoners, were reserved to be executed after it. Three groupes, of forty each, were successively shot in the Prado. Great and untold numbers, in like manner, were put to death by the church of N. Senora de la Soledad, near the Puerta del Sol, and near the Puerta de S. Vicente. Many groupes were thus shot, of thirty or forty at a time. In this manner was the evening of that 2d of May employed by the French at Madrid. The inhabitants were forced to illuminate their houses, for the safety of their oppressors; so that, through the whole night, the streets were lighted up, and the dead and the dying might be seen distinctly as in broad noon-day, lying in heaps upon the bloody pavement. When morning came, the same mockery of justice was continued, and fresh murders committed deliberately, with the forms of military execution, during several succeeding days.

May 4. The junta of government, on this occasion, betrayed their country: they nominated Murat their president; and Don Antonio was sent off to Bayonne, to join the rest of his family in captivity. Ferocious as Murat was, he found it necessary to attempt to sooth the people. *May 5.* He told them in his proclamations, that their tranquillity would from henceforth be unalterable: they would owe this to the loyalty of their character; but it would be still more assured to them by the confidence which is inspired by the laws; for, in obedience to the dictates of humanity, he said, the military commission was suppressed. From that time, every inhabitant, whatsoever his rank, who might have given cause for being seized by the French troops, provided he had not borne arms against them, should be immediately given over to his proper judges, and tried by them. It evidently appears, therefore, that men who had not borne arms had been put to death by Grouchy's bloody tribunal.—Even in the only excepted case, continued this proclamation, that of having borne arms against the French, a judge nominated by the competent tribunal of the nation should assist in regulating the whole of the process against the accused, till sentence was pronounced. No countrymen domiciliated in the town, nor stranger, should be molested on account of their dress, still less the ecclesiastics. This alludes to an order which had been issued, either by Murat or his obsequious junta, prohibit-

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ing any person from appearing in a cloak—a dress so favourable for concealing weapons: but this garment is so universally worn by the Spaniards, that the decree was thus modified on the third day, and repealed altogether on the following. Carriers, employed in bringing provisions to the town, should thenceforward be subjected to no vexation, nor detention of their carriages and beasts; and only half the cattle of the muleteers should in future be put in requisition, even upon the most urgent necessity; even then they should not be detained longer than three or four days, and paid for at the regulated prices. Orders should be given at those gates where carriers had suffered arbitrary detention, in order to be searched and stripped of their arms, that this abuse should be prevented; but it was necessary to repeat the order against introducing fire-arms, or other prohibited weapons, into the city:—they were always to be deposited at the gate.

The members of the junta, in appointing Murat their president, and aiding him with all the influence of their authority, acted not so much from compulsion, as from treachery; for they were informed of the situation of Ferdinand, and had received from him discretionary powers, authorizing the boldest and most patriotic measures. From the time when that poor prince left Madrid, a courier was dispatched every night by Cevallos to the junta, communicating what appeared necessary for their information and direction. After his arrival at Bayonne, it was soon found that these couriers were intercepted. Cevallos complained of this to the French minister Champagny, and was told in reply, that as the emperor acknowledged no other king than Charles IV., it resulted, as a necessary consequence, that he could not admit in his territory any act, in the nature of a passport, given by Ferdinand in that character; but the letters which had been detained upon this ground, had been put into the hands of the French postmaster, and would be punctually delivered, as would any others which he chose to have conveyed, either by the ordinary post, or by the French courier. This extraordinary notification needed no farther explanation. Cevallos, in consequence, sent duplicates of his dispatches by different conveyances, and succeeded in informing the junta, that Ferdinand was actually a prisoner. Their duty was obvious;—if they could not retreat themselves to a place of security, they ought to have delegated their authority to persons who were in a situation where they could act for the good of the country; but those among them, whose intentions were good, wanted courage and decision, and the majority were slaves to France. Surprised at receiving no advice from them, Ferdinand dispatched an order, enjoining them to execute whatever was expedient for the service of the king and the kingdom, and authorizing them to employ the same powers as he himself should possess were he upon the spot. The cabinet courier who carried the dispatch was intercepted. A duplicate, however, reached them. Nothing could be more intelligible than such an order. Nevertheless, such was the timidity of the better members, and the faithlessness of the others, that, instead of acting upon it, they sent a confidential person to confer with Ferdinand, and learn from him, 1. Whether he

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thought fit to authorize them to substitute one or more persons, either of their own body or otherwise, to hold a council in a secure situation, where it could freely act; and what persons he would please to have chosen. 2. Whether it was his wish that hostilities should be commenced against the French, and when and how it should be done. 3. Whether they should endeavour to prevent the entrance of more French troops into Spain, by guarding the passes. And, 4. Whether he thought it right to convoke a cortes; in which case a decree from him would be necessary, addressed to the royal council. If the cortes were to be assembled, they asked likewise what subjects it should proceed to discuss?

It is, unhappily, but too well known, and too severely felt, that public affairs, in the most momentous times, are often conducted with a degree of folly, scarcely ever discovered in the management of individual concerns; and this folly has so often done the work of treason, that it has sometimes been mistaken for it. But it is scarcely possible, even upon this miserable plea, to acquit the junta. At a time when every hour was of such importance, they dispatched a messenger four hundred miles, to ask Ferdinand's opinion upon points, on every one of which he would have consulted them had he been in Madrid; all which they were better able to determine than he could be; and on which, in fact, he required that information which could only be possessed upon the spot.—Ferdinand replied, that he was not in a state of freedom; and being therefore incapable of taking any measures, either for his own preservation, or that of the monarchy, he invested them with full powers to repair to any place that might be deemed most convenient, and exercise, in his name, as the representatives of his person, all the functions of sovereignty: That they should commence hostilities the moment they knew that he was proceeding into the interior of France, which he should not do, unless compelled by violence; and that they should prevent, in the best manner they could, the introduction of more French troops into the peninsula.—This was the substance of one decree. The other, which accompanied it, was directed to the junta; and, at their suggestion, to any chancery or audience of the kingdom, lest they should not be in a situation to act when it arrived. In this he declared it to be his royal will, that the cortes should be assembled in such place as should appear most convenient; that they should occupy themselves at first exclusively in attending to the levies and subsidies necessary for the defence of the kingdom; and that their sittings should be permanent. These decrees reached Madrid safely, and were delivered into the hands of one of the council; but he made no use of it, and did not even communicate it to that body; and before they arrived, indeed, the insurrection had taken place; Murat was president of the government; and these base ministers had sanctioned with their authority the murder of their countrymen by the military tribunal, and the subsequent measures for disarming the people, and enslaving the country.

The inquisition also,—that accursed tribunal, which has been equally the disgrace and the bane of every country in which it has been established,—lent its last aid towards the degradation and destruction of Spain

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Four days after the insurrection, a circular letter was addressed by the Inquisitor-General, in the name of the supreme council, to all its subordinate tribunals. That insurrection, the anniversary of which, however hopelessly it began, and disastrously it terminated, will be celebrated hereafter by Spain, as one of the most solemn days in her kalendar,—a day of proud and pious commemoration,—was here styled a disgraceful tumult, occasioned by the evil intentions or ignorance of thoughtless men, who, under the mask of patriotism and loyalty, were preparing the way for revolutionary disorders. The melancholy consequences which had already occurred, rendered, it was said, the most active vigilance necessary on the part of all the magistracies and respectable bodies, to prevent the renewal of such excesses, and to preserve tranquillity,—the nation, indeed, being bound to such conduct, not only by its own interests, but by the laws of hospitality towards a friendly army which injured no person, and which had given the greatest proofs of good order and discipline. It became, therefore, the duty of the well-informed to enlighten the people, and deliver them from their dangerous error, by shewing them that tumultuous proceedings could only serve to throw the country into confusion; by tearing asunder those bonds of subordination upon which the peace of the community depends; by destroying the feeling of humanity, and annihilating all confidence in the government, to which it alone belonged to give a uniform direction and impulse to the sentiment of patriotism.—"These most important truths," said this vile address, "can by no persons be imprest upon the minds and hearts of the people with more beneficial effect, than by the ministers of the religion of Jesus Christ, which breathes nothing but peace and brotherly love among men, and subjection, honour, and obedience to all that are in authority:—and, as the holy college ought to be, and always has been, the first to give an example to the ministers of peace, it accords with our duty and office to address this letter to you, that you, on perusing its contents, may likewise co-operate in the preservation of the public tranquillity. You are required to notify the same to all the subordinate officers of your respective courts, and also to the commissioners of districts, that all and each of you should, with all possible zeal, vigilance, and prudence, co-operate in the attainment of so important an object."

May 6.

Thus had Murat procured the assent of the highest civil and religious authorities in Spain to the subjection of their country, their sanction of all his cruelties, and their support. That no colour of authority for this usurpation might be wanting, the names of Ferdinand, his brother Don Carlos, and the Infante Don Antonio, were affixed to a proclamation from Bourdeaux, condemning the spirit of resistance which had shewn itself, absolving the people from all duties towards them, and exhorting them to obedience to France. In this address, which certainly was never dictated by the Infantes, and for which it is scarcely probable that the form of obtaining their real signatures was observed, since it was as easy to affix as to extort them—they are made to say, that, being "deeply sensible of the attachment

May 12.

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and fidelity displayed towards them by all the Spaniards, with the utmost grief they beheld them on the point of being plunged into anarchy, and threatened with all the dreadful calamities consequent thereupon:—Aware that these might, in great measure, proceed from the state of ignorance in which the people were, both as to the principles of the conduct hitherto pursued by their highnesses, and the plans already formed for the benefit of their country, they found themselves under the necessity of making an effort to open their eyes, by salutary counsel, in order to prevent any obstruction to the execution of those plans; and thus to give them the dearest proof of the affection which they cherished for them.

"The circumstances under which the prince assumed the reins of government; the occupation of several provinces of the kingdom, and of all the frontier fortresses, by a numerous body of French troops; the actual presence of more than 60,000 of that nation in the capital and the environs; in short, the knowledge of many other circumstances known only to themselves, convinced them that, surrounded by difficulties, they had only chosen, among various expedients, that which was likely to produce the least evil; and that, as such, they resolved upon a journey to Bayonne.

"On their arrival at Bayonne, the prince, then king, was unexpectedly apprised that his father had protested against his act of abdication, declaring that it was not voluntary. Having accepted the crown only under the impression that the abdication was voluntary, he was no sooner informed of the existence of such a protest, than his sense of filial duty instantly determined him to give back the throne. But a short time after, the king his father abdicated it in his own name, and that of his whole race, in favour of the emperor of the French, in order that the emperor, consulting the good of the nation, should determine the person and race which should hereafter occupy it.

"In this state of things, considering their own situation, and the difficult circumstances in which Spain was placed—considering that, under these circumstances, any attempt on the part of the Spaniards for the maintenance of their rights, would be not only useless but ruinous, and could tend only to make streams of blood flow, and to render certain the loss of at least a great part of her provinces, and that of all her transmarine colonies:—Being further convinced, that the most effectual means of preventing these evils, was that their royal highnesses, for themselves, and all connected with them, should assent to the renunciation of their rights to the throne; a renunciation already executed by the king their father; taking also into consideration, that his majesty the emperor of the French engaged, in this case, to maintain complete the independence and integrity of the Spanish monarchy, and its transmarine colonies, without retaining the smallest of its dominions for himself, or separating any part from the whole; that he engaged to maintain the unity of the Catholic religion, the security of property, and the continuance of the existing laws and usages which have for so long a period of time, and in so indisputable a manner, preserved the power and

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honour of the Spanish nation—they conceived that they were affording the most undoubted proof of their generosity, and their affection towards it, and their eagerness to return the ardent attachment which it bore towards them, by sacrificing, to the utmost extent of their power, their individual and personal interests for the benefit of that nation, and by this instrument to assent, as they already had assented in a particular treaty, to the renunciation of all their rights to the throne.—They accordingly released the Spaniards from all their duties in this respect, and exhorted them to consult the common interests of their country, by conducting themselves in a peaceable manner, and by looking for their happiness to the power and wise arrangements of the Emperor Napoleon.—The Spaniards might assure themselves, that, by their zeal to conform their conduct to those arrangements, they would give their Prince and the two Infantes the strongest proof of their loyalty, in like manner, as their Royal Highnesses gave them the greatest example of their paternal affection, by renouncing all their rights, and sacrificing their own interests for the happiness of the Spaniards, the sole object of their wishes."

Murat, who was acquainted with the design of Buonaparte to place Joseph upon the throne, intimated this to the junta, and procured an address upon the subject from that traitorous assembly to the Emperor.

May 13. Convinced, they said, that the condition of Spain demanded the closest connection with the political system of the empire, which he governed with so much glory, they considered the resignation of the Bourbons as the greatest proof of kindness to the Spanish nation which their sovereign had ever given. "O! that there were no Pyrenees!" exclaimed these sycophants and slaves. "This was the constant wish of good Spaniards; because there could be no Pyrenees, whenever the wants of each should be the same, when confidence should be returned again, and each of the two nations have received, in the same degree, the respect due to their independence and worth. The interval which yet separates us from this happy moment cannot now be long. Your Imperial Majesty, who foresees all things, and executes them still more swiftly, has chosen for the provisional government of Spain, a Prince educated for the art of government in your own great school. He has succeeded in stilling the boldest storms, by the moderation and wisdom of his measures. What have we not, therefore, to hope from him, now that all Spaniards unite to devote to him that admiration to which he has so many claims, and to assist him in those labours which he applies for our service! The Spanish monarchy will resume the rank which belongs to it among the powers of Europe, as soon as it is united by a new family compact to its natural ally, whose power is so great. Whoever the Prince may be whom you destine for us, chosen from among your illustrious family, he will bring that security which we need so much. The Spanish throne rises to a greater height. The consequences arising from its relation to France, are of an importance commensurate with the extent of its possessions. It seems, therefore, that

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the throne itself calls for your Majesty's eldest brother to govern it. Surely it is a happy presage, that this arrangement, which Nature has confirmed, so well corresponds with the sentiments of reverence and admiration, with which the actions of this Prince, and the wisdom of his government, had inspired us." The council of Castille was implicated in the shame of this address. Their wisdom, it was said, obliged them to give all their support to these principles, and they united in the expression of the wish of the Supreme Junta.

An address was also framed in the name of the city of Madrid, to Murat, as "his Imperial and Royal Highness, the Serene Grand Admiral of the French Empire, Grand Duke of Berg and Cleves, and Lieutenant-General of the kingdom of Spain." "That city," it is said, "thinking it certain that the Emperor of the French intended to place the crown upon the head of his illustrious brother Joseph Napoleon king of Naples; and being distinguished for its love of its sovereigns and its obedience to them, could not omit joining its homage to that of the Supreme Junta and of the Council, and requested his Highness would notify the same to the Emperor. The city also availed itself of that opportunity to assure him of its respect and submission." Graves could hardly yet have been dug for those who were massacred, and the places of execution were still covered with flakes of blood, when the wretches of the Junta thus fawned upon Murat, and praised the butcher for his moderation: and this address was presented in the name of the city, while mothers, widows, and orphans were cursing him and his accursed master in every street, and well nigh in every house! A letter was also obtained from the cardinal Archbishop of Toledo. "The resignation of Charles," he said, "and the confirmation of that act, by the Prince and the Infantes, imposed upon him, according to God's will, the pleasing duty of laying at the Emperor's feet the assurance of his homage, fidelity, and reverence. May your Imperial and Royal Majesty (he added) be graciously pleased to look upon me as one of your most dutiful subjects, and instruct me concerning your high purposes, that I may be furnished with the means of manifesting my unfeigned and zealous submission."

May 15.

May 22.

Buonaparte now convoked an assembly of the Notables, as he styled it, to be held on the 15th of June, at Bayonne, confirming meantime Murat as Lieutenant-General of the kingdom, and continuing all the existing authorities. At the same time he issued one of his hypocritical proclamations: "Spaniards!" it said, "after a long, lingering disease, your nation sunk into decay. I have seen your sufferings; I will relieve them. Your greatness makes a part of mine. Your Princes have ceded to me all their rights to the Spanish crown. I will not reign over your provinces, but I will acquire an eternal right to the love and gratitude of your posterity. Your monarchy is old; it must be renovated, that you may enjoy the blessings of a renovation which shall not be purchased by civil war or desolation.

May 25.

"Spaniards! I have convened a

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general assembly of the deputies of your provinces and towns, that I may know your desires and wants. I shall lay down my rights, and place your illustrious crown upon the head of one who resembles me; securing you a constitution which will unite the salutary power of the Sovereign with the liberties and rights of the Spanish nation.—It is my will that my memory shall be blessed by your latest posterity, and that they shall say—he was the restorer of our country."

Shortly after the date of this proclamation, he named his brother Joseph King of Spain and the Indies, guaranteeing to him the independence and integrity of his states in Europe, Africa, Asia, and America. *

June 6.

Had all the Spaniards been as base as those who were in authority at the seat of government, they would now have been passively transferred, like a herd of beasts, from one master to another. Spain would have fallen ingloriously like Holland; year after year her youth would have been sorted out by Buonaparte's conscription, and marched off to be slaughtered in distant regions, wherever new projects should direct the desolating career of this insatiable barbarian;—burthen after burthen would have been imposed upon the exhausted country;—submission would only have invited new oppression;—and, finally, some sweeping decree would have deprived it of its existence as a separate state, and of its name as a nation. But the Spaniards are an uncorrupted people. The massacre of Madrid, and the transactions at Bayonne, were no sooner known, than they fled to arms, as if by one instantaneous impulse, over the whole peninsula. Abandoned as they were by one part of the Royal Family, deprived of the rest; forsaken too, as it then appeared, by those nobles and statesmen on whose talents and patriotism they had formerly fixed their hopes, (for the friends of Ferdinand, who accompanied him to Bayonne, had transferred their services to the intruder); betrayed by their government, their strong places and frontier passes in possession of the enemy, the flower of their own troops in the north of Europe, and 60,000 French, accustomed to victory, and already flushed with Spanish slaughter, in their capital, and in the heart of their country,—under these complicated disasters, they rose in universal insurrection against the mightiest military power that ever yet existed; a force not less tremendous for its magnitude than its admirable organization, directed always with consummate skill, and wielded by consummate wickedness. A spirit of patriotism burst out which astonished all Europe. They who were best acquainted with the Spaniards were least surprised, though most delighted; those persons who were familiar with their past history and their present state,—who had heard the peasantry talk of their old heroic ancestry, of the Cid, and of Hernan Cortes,—had witnessed the passionate transfiguration which a Spaniard underwent when recurring from those times to his own, his brave impatience, his generous sense of humiliation, and the feeling with which his soul seemed to shake off the yoke of these inglorious days, and take

* Appendix, No. XXIV.

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sanctuary among the tombs of his ancestors,—they knew that the spirit of Spain was still alive, and had looked on to this resurrection of the dry bones.

Asturias and Gallicia were the first provinces that raised the standard; but the rest of Spain pursued the same course so rapidly, as to show that the people acted, not from the influence of example, but, from one common feeling, acting co-instantaneously over the whole kingdom. In every province a Junta or General Assembly was immediately formed, who, acting under the name of Ferdinand, were to take measures for the general defence, and for the recovery of the country. Their first measure was to issue proclamations, calling upon the people to revenge their brethren who had been massacred; to remember their fathers; to defend their wives and sisters; and to transmit their inheritance of independence to their children. They reminded them how Pelayo, with the mountaineers of Asturias, laid the foundation of the Spanish monarchy, and begun that war against the Moors which his posterity continued for 700 years, till they had rooted out the last of the invaders. They reminded them of the Cid, Ruydiez de Bivar, how, when the Emperor claimed authority over Spain, and a council, where the king of Castille himself presided, discussed his pretensions, that hero refused to deliberate on such a demand, saying that the independence of Spain was established above all title; that no true Spaniard would suffer it to be brought in question; that it should be upheld with their lives; and that he declared himself the enemy of any man who should advise the king to derogate in one point from the honour of their free country! They reminded them of the baseness, the perfidy, and the cruelty which they had already experienced from that proud and treacherous tyrant, who arrogates (said they) to himself the title of Arbiter of Destinies, because he has succeeded in oppressing the French nation, without recollecting that he himself is mortal, and that he only holds the power delegated to him for our chastisement. Had he not, under the faith of treaties, drawn away their soldiers to the Baltic? had he not, in the character of a friend and ally, marched his troops into the very capital, and made himself master of the frontier fortresses, then robbed them of their king and the whole of their royal family, and usurped their government? What if they perished in resisting these barbarians? "It is better (said they) to die in defence of your religion and independence, and upon your own native soil, than to be led bound to slaughter, and waste your blood for the aggrandizement of his ambition. The French conscription comprises you. If you do not serve your country, you will be forced away to perish in the North. We lose nothing: for, even should we fail, we shall have freed ourselves, by a glorious death, from the intolerable burden of a foreign yoke.—What worse atrocities would the worst savages have perpetrated, than those which the ruffians of this tyrant had committed? They have profaned our temples,—they have massacred our brethren,—they have assailed our wives;*—more than 2000 of the people of Madrid, of that city where they had

* When Murat addressed his proclamation to the French before they entered Madrid, recommending to them the "utmost friendship towards a nation which had treated

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been so hospitably received, they have murdered in cold blood, for no other cause than for having defended their families and themselves.—To arms! to arms!—No foreign nation could ever lord it over us when we resisted as we ought. Will you bend your necks to the yoke? Will you allow yourselves to be insulted by injuries the most perfidious, the most wicked, the most disgraceful,—committed in the face of the whole world! Will you submit to the humiliating slavery which is prepared for you! To arms!—fly to arms—not like the monster who oppresses you, to indulge an insatiable ambition; not, like him, to violate the law of nations and the rights of humanity,—not to render yourselves odious to mankind, but to assist your countrymen, to rescue your king from captivity; to restore to your government liberty, energy, and vigour; to preserve your own lives and those of your children; to maintain the uncontrouled right of enjoying and disposing of your property: and to assert the independence of Spain.—The time is come; the nation has resumed the sovereign authority, which, under such circumstances, devolves upon it. Let us be worthy of ourselves. Let us perpetuate the renown of our fathers.—If she remain firm and constant, Spain will triumph. A whole people is more powerful than disciplined armies.—Those who unite to maintain the independence of their country, must triumph over tyranny. Spain will inevitably conquer in a cause the most just that has ever raised the deadly weapons of war; for she fights, not for the concerns of a day, but for the security and happiness of ages;—not for an insulated privilege, but for all the rights of human nature;—not for temporal blessings, but for eternal happiness;—not for the benefit of one nation, but for all mankind, and even for France herself. Humanity does not always shudder at the sound of war,—the slow and interminable evils of slavery are a thousand times more to be abhorred;—there is a kind of peace more fatal than a field of battle, drenched with blood, and strewed with the bodies of the slain. Such is the peace in which the metropolis of Spain is held by the enemy. The most respectable citizen there is exposed to the insolence of the basest French ruffian; at every step he has to endure at least the insult of being eyed with the disdain of the conqueror towards the conquered. The inhabitants of Madrid, strangers, as it were, and by sufferance in their own houses, cannot enjoy one moment's tranquillity. The public festivals, established by immemorial custom, the attendance on religious ordinances, are considered as pretexts for insurrection, and threatened with being interrupted by discharges of cannon. The slightest noise makes the citizen tremble in the bosom of his family. From time

them so kindly on their march, which was allied to them, and which deserved their friendship!" he thought it necessary, in warning them against any excesses, to specify, that all soldiers found guilty of violation should be shot. The French armies are above all others infamous for this worst species of atrocity. Kuttner says, he never heard so much of this crime as in Styria, when he passed through that country two years after the treaty of Leoben. The excesses committed by Buonaparte's soldiers were then remembered with the utmost horror; and the peasants expressed the bitterest indignation against their own government for having prevented them from taking arms.

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to time the enemy run to arms, in order to keep up the terror impressed by the massacres of the 2d and 3d of May. Madrid is a prison, where the jailors take pleasure in terrifying the prisoners, for the purpose of keeping them quiet by perpetual fear.—But the Spaniards have not yet lost their country!—those fields which, for so many years, have seen no steel except that of the ploughshare, are about, amid the splendour of arms, to become the new cradle of their freedom! Fly then to the field of honour! Life or death, in such a cause, and in such times, are indifferent. You who return, will be received by your country as her deliverers!—and you whom Heaven has destined to secure, with your blood, the independence of our native land,—the honour of our women,—the purity of our holy faith,—you will not dread the anguish of the last moments. Remember what tears of grateful love will be shed over your graves,—what fervent prayers will be sent up for you to the Almighty Father of Mercies; who will hear such supplications, and grant you your reward of glory.——Let all Spain become a camp: let her population become an armed host; let our youths fly to the defence of the state, for the son should fall before the father appears in the ranks of battle;—and you, tender mothers, affectionate wives, and fair maidens, do not retain within your embraces the objects of your love, until, from victory returned, they deserve your affection. They withdraw from you not to fight for a tyrant, but for their God, for a monarch worthy the veneration of his people; for yourselves, and for your companions. Instead of regretting their departure, like the Spartan women, sing ye the song of jubilee!—The noble matrons, the delicate maidens, even the austere religious recluse nuns, must take a part in this holy cause; let them send up their prayers to Heaven for the success of our undertaking, and succour, in their domestic economy, the necessities of their warlike sons and brethren."

Their popular faith as well as their patriotism was roused. They were told to implore the aid of the Immaculate Conception, of Santiago, so often the patron and companion in victory of their ancestors; of our Lady of Battles, whose image is worshipped in the most ancient temple of Covadonga, and who had there so signally assisted Pelayo in the first great overthrow of the Moorish invaders. The fire flamed the brighter for this holy oil of superstition; but it was kindled by noble pride, and brave shame and indignation; by the remembrance of what their forefathers had been, and the thought of what their children were to be. If popery has produced in Spain many of its most baneful effects, it is there also that whatever good it possesses is to be seen. The Spaniards believe fervently as well as faithfully; and whatever other injury has been wrought upon them by this pernicious superstition, it has kept alive their imagination, the noblest faculty of man. Heaven is as populous as earth to them. The objects which they adore are realities,—warm flesh and blood, which the soul can clasp and cling to,—a virgin mother, garlanded with stars, her feet upon the crescent moon, and clothed with the sun as with a garment;—omnipotence in the babe at her breast;—Christ bleeding on the cross,—saints and martyrs retaining in heaven their human

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loves, listening to prayer, and giving aid to those who call upon them. The forms of the dead friends whom we have loved dearest, are not more familiar to us, nor more frequent to our imagination, than these objects of devotion are to the Spaniard and the Portugueze.

While these leaders thus availed themselves of the popular faith, they called upon the clergy for those sacrifices which the circumstances of the country rendered necessary:—"Venerable Orders of Religion," said they, "withhold not the supplies which are required for the support of the common cause. If your civic virtues did not impel you voluntarily to offer this assistance, your interest would extort it; for your incorporation, sanctified by authority,—your political existence,—the possession of your property,—your individual security,—all depend upon the issue of this war. But Spain this day receives from those her favourite sons, proofs of their affection and gratitude, for the riches she has bestowed, and the splendour she has conferred, for her pious generosity, and her ardent zeal, in sustaining the religion and the customs of their fathers."—And to the honour of the clergy, no men exerted themselves more strenuously in the common cause; a conduct the more praiseworthy, after the submission of their Primate, and the infamous part which the Inquisition had taken.—The Bishops of Oviedo and Santander distinguished themselves by their zeal and activity in Asturias and Biscay; and the venerable Bishop of Orense, when summoned to attend the Assembly of Notables at Bayonne, replied to the Junta of Government, in a letter* of mild and dignified remonstrance, which had scarcely less effect than the most animated military proclamation. This letter could not be read without shame by those who still hoped, or affected to hope, for any amelioration in the state of Spain from Buonaparte,—for the Bishop, addressing that tyrant himself as if he really possessed those talents for legislation, and that philosophy and benevolence to which he lays claim, represented to him how impossible it was to do good to the nation by enslaving it;—how strongly all his proceedings towards it bore the character of usurpation and violence;—and besought him, whatever might be the disorders of Spain, not to persist in applying remedies to her in fetters, as she was not mad.

Among the persons who had accompanied Ferdinand to Bayonne, was Don Joseph Palafox, the youngest of three brothers, of one of the most distinguished families in Aragon. He was about 34 years of age, had been all his life in the Spanish guards, without ever having seen actual service; and at Madrid, where his time had principally been past, was distinguished for the splendour and fashion of his appearance. At the revolution of Aranjuez, he was selected to be second in command, under the Marquis de Castellar, to whose custody the Prince de la Paz was committed; and had Palafox been present when that wretch was rescued from the justice of his country, it is probable that he would not tamely have submitted to resign him. From Bayonne he escaped in the disguise of a peasant, to his country seat near Zaragoza. The Captain-General of Aragon, Guilliamah, was a traitor, and attempted to disarm the

* Appendix, No. XXV.

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people; they seized him, and threw him in prison; and the inhabitants of Zaragoza, and of the neighbouring villages, conferred the government, by acclamation, upon Palafox. The neighbouring provinces of Navarre and Catalonia were possessed by the French,—the passes of the Pyrenees, leading directly into Aragon, were open, and Murat, with the main body of the French army, was on the other side at Madrid. Thus surrounded by the enemy, and in a defenceless city, the walls and gates of Zaragoza being merely for the purpose of levying the customs, Palafox declared war against the French. The regular troops which he mustered amounted only to 220 men, and the public treasury could furnish him with no more than 2000 reals, a sum not quite equal to twenty English guineas. The proclamation

May 31. which he issued was distinguished by its boldness. He declared "the French emperor, all the individuals of his family, and every French officer and general, personally responsible for the safety of King Ferdinand, his brother and uncle: That, should the French army commit any robberies, devastations, and murders, either in Madrid or any other town, no quarter should be given to any of them: That all the acts of the present government, and the transactions at Bayonne, were illegal, null, and void, and had been extorted by violence: That whatever might be done hereafter by the Royal Family in France, should, for the same reason, be accounted null; and that all who took an active part in such transactions should be deemed traitors to their country. If any violence should be attempted against the lives of the Royal Family, he declared that the nation would make use of their elective right in favour of the Archduke Charles, as nephew of Charles III., in case the other heirs should not be able to concur." This proclamation was not less remarkable for the prophetic suspicion which it expressed of some of those in whom the nation had confided, and who held the supreme power in their hands. "They (he said) had been the first to form traitorous connections with the enemy of the country, and to work its ruin. Thirst of gold made them view its destruction with indifference;—though now, perhaps, when the resolution of the people was known, they might change their purpose, affect a zeal for the right cause, and endeavour to shake off the yoke which they themselves had tried to impose upon their country by means the most iniquitous. Should I be mistaken," said Palafox, "time will discover the truth. As for myself," addressing the Aragoneze, "my life, which can only be of any value to me as far as it can promote your happiness and the prosperity of my beloved country, is the smallest sacrifice I can make for the many proofs of confidence and love with which you have honoured me. My mind is neither able to harbour treachery, nor to associate with those who cherish and protect it."

Catalonia and Navarre were in possession of the French;—every where else the insurrection broke out. The Captain-General of Granada was deprived of his command, for endeavouring to suppress the public spirit. At Carthagena a similar revolution was effected. Count Florida Blanca, at the age of fourscore, came from the retirement where he had designed to pass the remainder

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of his days in peace and piety, to proclaim Ferdinand in Murcia, and hoist the standard of independence. The people of Valencia burnt the paper which had been stamped in Murat's name,—stopt several chests of money which were on their way to Madrid,—and elected the Count de Cervellon for their governor. In this state of things, it was necessary that there should be some seat of actual government, to which the nation could look, and this rank was occupied by Seville,—a city which, were its situation more salubrious, would have better claims than any other to become the capital of Spain.* The inhabitants of Seville assembled in arms, and, by virtue of that right which was inherent in the people, called upon the constituted authorities to appoint a supreme board of government. The choice fell upon men † able, enlightened, and truly patriotic, who instantly began their work with equal zeal and wisdom.

May 27.

Their first measure was to establish, in all towns within their jurisdiction, containing 2000 householders, corresponding juntas, who were to enlist all the inhabitants between the ages of 16 and 45, and embody them.—Funds were to be raised by order of the Supreme Junta, on all corporations and rich individuals; and, above all, by voluntary subscriptions. ‡—They declared war against the Emperor Napoleon and against France, in the name of Ferdinand and of all the Spanish nation, protesting that they would not lay down their arms till that Emperor restored to them the whole of their Royal Family, and respected the rights, liberty, and independence of the nation which he had violated. This, said they, we declare with the understanding and accordance of the Spanish people.—By the same declaration, they made it known that they had contracted an armistice with England, and that they hoped to conclude a lasting peace. ‡

* That is considering Spain as distinct from Portugal. The capital of the peninsula, were it under one government, should undoubtedly be Lisbon.

† In justice to the general wisdom of their measures, their names are here subjoined:

Members who compose the supreme board of government—Signor Don Francisco Saavedra, the illustrious lord archbishop co-administrator of this city.

And for their supernumeraries—The lord dean of the chapter of the holy church, Don Francisco Xavier Cienfuegos, canon of the said church, the excellent lord assistant Don Vicente Flores.

For the royal audience—Don Francisco Diaz Bermuda, regent; Don Juan Fernandez Aguirre.

For the nobility—The lord count Tilly, marquis de las Torres, Don Andres Mitiano, Don Antonio Sanbrana.

For the city—Don Andres de Coca, Don Joseph Thera.

For generals—Don Eusebio de Herrera, Don Adrian Jacome.

For the chapter—Don Antonio Sanbrana, Don Manuel Perrosa.

For the public—Don Joseph Morales Gallega.

For commerce—Don Victor Soret, Don Zeledonio Alonzo.

For the priesthood—Father Joseph Ramirez.

Secretaries—Don Juan Bautista Esteller, lieutenant of the regiment of artillery; Don Juan Pardo, adjutant of the regiment of Farnesio.

‡ See Appendix, No. XXVI.

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An eloquent address from the Junta was sent forth to the people of Madrid:—"Seville, (said they,) has learned, with consternation and surprise, your dreadful catastrophe of the 2d of May; the weakness of a government, which did nothing in your favour; which ordered arms to be directed against you, and your heroic sacrifices. Blessed be ye, and your memory shall shine immortal in the annals of our nation.—She has seen with horror, that the author of all your misfortunes, and of ours, has published a proclamation, in which he distorted every fact, and pretended that you gave the first provocation, while it was he who provoked you. The government was weak enough to sanction and order that proclamation to be circulated, and saw, with perfect composure, numbers of you put to death, for a pretended violation of laws which did not exist. The French were told in that proclamation, that French blood profusely shed, was crying out for vengeance! And the Spanish blood, does not it cry out for vengeance?—that Spanish blood, shed by an army which hesitated not to attack a disarmed and defenceless people, living under their laws and their king, and against whom cruelties were committed which shake the human frame with horror. We, all Spain exclaim—the Spanish blood shed in Madrid cries aloud for revenge!—Comfort yourselves, we are your brethren:—we will fight like you, until we perish in defending our King and Country! Assist us with your good wishes, and your continual prayers offered up to the Most High, whom we adore, and who cannot forsake us, because he never forsakes a just cause."

Their proclamation to the People of Spain was worthy of its cause and object,—higher praise cannot be bestowed,—and of that praise their admirable address is fully worthy. "The king (said they) to whom we all swore allegiance with emotions of joy unprecedented in history, has been decoyed from us. The fundamental laws of our monarchy are trampled under foot; our property, our customs, our wives—all which the nation holds most dear, is threatened. Our holy religion, our only hope, is doomed to perdition, or will be reduced to mere external appearances, without support and without protection. And all this is done by a foreign power, not by dint of arms, but by deceit and treachery, by taking advantage of our good nature, and by converting the very persons who call themselves the heads of our government, into instruments of those atrocious acts; persons who, either from the baseness of their sentiments, from shameful fear, or perhaps from other motives, which time or justice will unfold, hesitate not to sacrifice their country. It therefore became necessary to break the shackles, which prevented the Spanish from displaying that generous ardour that in all ages has covered them with glory; that noble courage, with which they have always defended the honour of the nation, their laws, their monarchs, and their religion.

"The people of Seville joined accordingly on the 27th May; and, thro' the medium of all their magistrates, of all their constituted authorities, perfectly united, and of the most respectable individuals of every rank and description, this supreme council of government was formed, invested with all necessary powers, and charged to defend the country, the

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religion, the laws, and the king. We accept the heroic trust; we swear to discharge it, and reckon on the strength and energy of the whole nation. We have again proclaimed Ferdinand VII.—again sworn allegiance to him,—sworn to die in his defence,—and this was the signal of happiness and union, and will prove so to all Spain.

"A council of government had scarce been formed, when it violated the most sacred laws of the realm. A president was appointed without any authority whatever, and who, had he had any lawful title, hastened to forfeit it. In addition to his being a foreigner, which was a legal objection to his promotion, he co-operated for the destruction of the very monarchy from which he received his appointment, and of the laws, which alone could sanction his authority. Under these circumstances we could not restrain our loyalty, and much less could we violate the sacred engagements, which we had before contracted, as Spaniards, as subjects, as christians, as freemen, independent of all foreign authority and power.

"Nor could the authority of the first tribunal of the nation, the council of Castille, check or controul our exertions. The weakness of that council became obvious from the wavering and contradictory proceedings which it adopted in the most momentous and most critical situation in which the nation ever hath been placed, and in which the council would have displayed that heroic firmness, with which numberless moves and its own honour called upon to act. The order tamely to submit to, and circulate and obey the act of abdication in favour of a foreign prince, was the consummation of its weakness, perhaps of its infamy, for that act was evidently void and illegal from want of authority in him who made it, because the monarchy was not his own, nor was Spain composed of animals subject to the absolute controul of their rulers;—his accession to the throne was founded on his royal descent, according to his own confession, and on the fundamental laws of the realm, which invariably regulate the hereditary succession, and with regard to which the council is not invested with any other power, than the sacred duty to enforce their observance. It is void on account of the state of violence and oppression in which it was made, and which is far more evident than the abdication itself;—it is void, because the published act of abdication of King Ferdinand VII. and of his uncle and brother, was made in the same state of violence and compulsion, as is expressly declared in the very act of abdication;—it is void, because many royal personages, possessed of the right to claim the crown, have not relinquished that claim, but preserve it entire. Add to this, the horrid treachery which has been employed to sacrifice and degrade the Spanish nation. It is to our alliance, and our sacrifices, that the French are indebted for what they call their triumphs; France withdrew our gallant troops from their native land, and sent them to the most distant countries; she made them fight for her interests, without having any occasion for them, for the obvious purpose of weakening us, and despoiling us of our strength. Her armies afterwards entered Spain, under continual professions of an anxious desire to promote our prosperity, and under the pretext of co-operating in

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expeditions against an enemy, of whom no farther mention is made. The people, by a generous effort, prevented the departure of their king, a measure which the French should have hailed with shouts of joy; but, far from so doing, they kept a profound silence with regard to that departure,—and even converted it into a pretext for oppressing us. France affected to perceive divisions in the nation which did not exist; the Spanish nation having never been more united in the love and defence of its king. The latter was decoyed into the French territory by deceitful insinuations and professions; with a degree of generosity, of which perhaps there does not exist a precedent, the king, with implicit reliance on those professions, threw himself into the arms of the French, who, with the basest treachery, unprecedented in the annals of civilized nations, made him their prisoner, treated him in a manner the most disrespectful, and forced him to the deeds of horror—which all Europe has witnessed with astonishment, and every Spaniard with indignation and the most poignant grief. In a manner equally deceitful they invited the royal parents into their country, and compelled them to unjust and illegal acts; acts which must hand down their memory to the latest posterity branded with disgrace;—they also dragged away the rest of the royal personages, to whom their tender age would have proved an inviolable shield, even among the most barbarous nations.

"The French ruler summoned the Spanish nation before him: he chose such deputies as best suited his purpose, and in a despotic manner appointed them to deliberate in a foreign country on the most sacred interests of the nation, while he publicly declared a private and respectful letter, written to him by Ferdinand the Seventh, at the time when he was Prince of Asturias, a criminal performance, injurious to the rights of sovereignty,—although the same foreigner, who now affects to consider it as an offence, perhaps induced him to write it. It is, indeed, a heinous offence, it is rebellion, when an independent nation submits to the controul of a foreign prince, and discusses in his presence, and under his decision, its most sacred rights and public welfare;—and no Sevillian, nor any other Spaniard, will lower himself to a degree of disloyalty and meanness, which could induce him to a rebellion so atrocious, that even slaves would scorn to disgrace themselves by deeds of infamy like this.

"He has resorted to many other means to deceive us. He has distributed libels to corrupt the public opinion, in which, under the strongest professions of respect for the laws, and for religion, he insults both, leaving no means untried, however infamous they may be, to bend our necks under an iron yoke, and make us his slaves. He carries his audacity and deceit the length of assuring the public, in one of his publications, that the supreme pontiff and vicar of Jesus Christ approves and sanctions his proceedings; while it is notorious, that, in sight of all Europe, he has despoiled him of his dominions, and forced him to dismiss his cardinals, in order to prevent him from directing and governing the whole church, in the manner sanctioned by our Saviour Jesus Christ.

"Spaniards, every consideration calls on us to unite and frustrate views so atrocious. No revolution exists in Spain; nor did we declare

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war against any power; our sole object is to defend what we hold most sacred, against him, who, under the cloak of alliance and friendship, intended to wrest it from us, and who, we had reason to fear, would despoil us, without fighting, of our laws, our monarchs, and our religion. Let us, therefore, sacrifice every thing to a cause so just; and, if we are to lose our all, let us lose it fighting, and as generous men.

"Join we, therefore, all: the people are ready to take up arms; let us commit to the wisest among us in all the provinces of Spain, the important trust to preserve the public opinion, and refute those insolent libels which are replete with the most atrocious falsehoods. Let every one combat in his way; and let the church of Spain incessantly implore the assistance of the God of Hosts, whose protection is secured to us by the evident justice of our cause.

"And what do you fear? Those enemies who occupy part of our country are composed of different nations, dragged into service, and who anxiously desire to break their chains. They are moreover dismayed, because the consciousness of guilt makes a coward of the bravest man.

"All Europe will applaud our efforts, and hasten to our assistance. Italy, Germany, and the whole north, which suffer under the despotism of the French nation, will eagerly avail themselves of the favourable opportunity held out to them by Spain, to shake off their yoke and recover their liberty, their laws, their monarchs, and all they have been robbed of by that nation. France herself will hasten to erase the stain of infamy which must cover the tools and instruments of deeds most treacherous and heinous. She will not shed her blood in so vile a cause. She has already suffered too much under the idle pretext of a peace and happiness which never came, and can never be attained but under the empire of reason, peace, religion, and laws, and in a state where the rights of other nations are respected and observed.

"Spaniards, your native country, your property, your laws, your liberty, your kings, your religion, nay, your hopes in a better world, which that religion can alone devise to you and your descendants, are at stake, exposed to great and imminent danger."

Admirable as this address is, one grievous error was contained in it, the precursor of others, and in itself of the most dangerous and fatal tendency. It was said, "that the number of the enemy's troops was not so great as the French stated to intimidate them; and that the positions which they had taken were exactly those in which they could be conquered and defeated in the easiest manner." Whatever momentary advantages might be hoped for by thus deceiving the people as to the extent of their danger, was sure to be counterbalanced ten-fold whenever they were undeceived, as inevitably they would be.

Palafox, in his manifesto, had invited deserters from the French army to enlist under him. Many of the provincial proclamations, in like manner, distinguished between Buonaparte and the people over whom he governed, calling the French an enlightened, a generous, an honourable nation; and saying, that they, as well as the Spaniards, were eager to see the destruction of the tyrant who oppressed and disgraced them.—

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They expressed a hope, that the success of Spain might induce the French people to offer him up as a victim for their own sakes, for the sake of universal justice, and to expiate the shame which his perfidy and cruelty had brought upon France. "Do not," said they, "believe that all Frenchmen are accomplices in these iniquities. Even among those who compose the armies of this barbarian, we know that there are some unhappy * individuals, who, amidst all the evil with which they are surrounded, still cherish in their hearts the seeds of virtue." The Junta of Seville addressed a proclamation expressly to the French armies:—"Frenchmen," said they, "you possess no longer either laws or liberty. You have shed streams of your own blood only to reduce Europe under the tyranny of a Corsican. Spain has been your true and faithful ally, and in many ways contributed to your triumph: Yet she has been despoiled, by your tyrant, of her laws, her monarchs, and her freedom, not by gallantry and valour, but by treachery and fraud, in which you are forced to co-operate. Your arms are defiled, and you are made to assist in deeds of infamy inconsistent with your generous character, and with the name of the great nation which you have acquired. We invite you to withdraw from banners which are destined to enslave all nations, and to enlist under ours, raised for the best of causes, to defend our laws and our king, whereof we have been robbed, not by force of arms, but by fraud, treachery, and ingratitude of the deepest dye. Wipe off the stain which will otherwise indelibly disgrace your nation! The Spaniards tender you the just reward for such an action; with open arms will they receive you, and fight by your side; and, when the war shall be terminated with that success which they have every reason to expect, land shall be given you, which you may cultivate unmolested, and pass your remaining days amidst a nation which loves and respects you, and where impartial justice shall incorruptibly protect all your fair enjoyments.

"Italians, Germans of all the Provinces of that great country, Polanders, Swiss, and all ye who compose

* Marshal Moncey was particularly mentioned. "We know," said Don Inigo Florez, President of the Oviedo Junta, "that this illustrious general detests the conduct of his companions. We offer up to him the tribute of truth and honour; and we invite this generous soldier to assist us by the addition of his talents and courage. If the respect which he pays to the mandates of nature, do not permit him to take up arms against his unworthy comrades, yet he shall be considered by us as a just and honourable man, and shall possess our love and regard wherever the accidents of life may place him."—This would not have been said without a knowledge of Moncey's real character,—yet this general bore an active part against the Spaniards, and doubtless many others of the French officers in Spain detested the cause for which they were fighting. The sacrifice of individual judgment is necessarily called for by the military system: but no system, no law, no human power, ought to be obeyed when it calls for the sacrifice of individual conscience. It may be made our duty to do what we believe to be imprudent; but he who obeys orders which he knows to be wicked, sins against his own soul. Of a man with Moncey's feelings, serving in such a war as that of Spain, it may be said more truly as soldier than as Frenchman, that, "bid him go to Hell, to Hell he goes."

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the armies called French, will ye fight for him who oppressed and despoiled you of what you held most sacred? For him who dragged you from your families and homes, robbed you of your property, your wives, your children, your native land, which he has enslaved? Will you fight against a nation, which it is intended to subdue and enslave, under the cloak of alliance and friendship, by fraudulent treachery, detestable and horrid beyond any precedent in history, even among barbarous nations? Come to us, and you shall meet with valour, generosity, and true honour. We tender the same rewards to you as to the French; and we trust that you and your posterity will enjoy them in happiness and peace."

But in nothing was the wisdom of the Seville junta more conspicuous than in the precautions which they published * as necessary to be observed in the conduct of the war. The first object (they said) must be to avoid all general actions, which would obviously expose them to very great hazard without even the hope of advantage. A war of partizans was the system which suited them; their business should be incessantly to harass the enemy; and for this species of warfare the nature of the country was particularly favourable. It was indispensable that each province should have its general; but, as nothing could be done without a combined plan, it was equally indispensable that there should be three generalissimos, one commanding in Andalusia, Murcia, and Lower Estremadura; one in Galicia, Upper Estremadura, the Castilles, and Leon; one in Valencia, Aragon, and Catalonia. These generalissimos should keep up a frequent communication with each other, and with the provincial generals, that they might act by common accord, and assist each other. A particular general was required for Madrid and La Mancha, whose only object should be to distress the enemy, to cut off their provisions, to harass them in flank and in rear, and not leave them a moment of repose. Another generalissimo was necessary for Navarre, the Biscayan provinces, Asturias, Rioja, and the North of Old Castille; this being the most important station of all. His whole business should be to prevent the entrance of French troops into Spain, and to cut off the retreat of those who were flying out of it. It was recommended that frequent proclamations should be issued, showing the people that it was better to die in defence of their liberties than to give themselves up like sheep, as their late infamous government would have done. "France," said they, "has never domineered over us, nor set foot in our territory. We have many times mastered her, not by deceit, but by force of arms. We have made her kings prisoners, and we have made the nation tremble. We are the same Spaniards; and France, and Europe, and the world, shall see that we have not degenerated from our ancestors."—They were also watchfully to confute the falsehoods which the French circulated, and particularly those which the baseness of the late government still permitted to be published in Madrid. And care was to be taken to convince the nation,

* Appendix, No. XXVII.

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that when they had freed themselves from this intestine war, the cortes would be assembled, abuses reformed, and such laws enacted as the circumstances of the time and experience might dictate for the public good;—"Things," said they, "which we Spaniards know how to do, and which we have done, as well as other nations, without any necessity that the vile French should come to instruct us, and, according to their custom, under the mask of friendship, and wishes for our happiness, contrive (for this alone they are contriving) to plunder us, to violate our women, to assassinate us, to deprive us of our liberty, our laws, and our king; to scoff at and destroy our holy religion, as they have hitherto done, and will always continue to do, as long as that spirit of perfidy and ambition, which oppresses and tyrannizes over them, shall endure."

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CHAP. XV.

Deputies from Asturias sent to England. Effect of the Spanish revolution in this country. Mr Sheridan's speech. Mr Whitbread's letter to Lord Holland. Proceedings at Cadiz. The governor put to death by the people, and Morla appointed in his place. The Spaniards compel the French squadron to surrender. Dupont enters Andalusia with a French army; is defeated by General Reding at Baylen, and surrenders. The terms which had been granted broken. Correspondence upon that subject with Morla. The French eagles deposited as trophies in the church of King St Fernando at Seville.

One of the first measures of the junta of Asturias was to dispatch two noblemen as deputies to England. They came off from Gijon in an open boat, and got to an English privateer which happened to be cruising off that port. Their arrival was soon followed by information that the insurrection had burst out in Andalusia as well as in the north, and along the whole south of Spain.—Never was any intelligence received with more general joy. Notwithstanding the numerous hostilities in which Spain had been involved with England; first, through its connection with the Bourbons; and, afterwards, from the ascendancy which the directory and Buonaparte had obtained over an infamous minister, an imbecile king, and a wretched government, the English had always regarded the Spaniards as the most honourable people with whom they were engaged either in commerce or in war; nor was there ever a war in which some new instance of honour and generosity on their part did not make us regret that they were our enemies. Hitherto the present contest had been carried on with little hope. No other sympathy than that of mere political interest, was ever felt in our alliances with Austria or with the Czar; but, from the moment that the Spaniards called upon us for aid, we felt that we had obtained allies worthy of our own good cause, and the war assumed a higher and holier character. It now became,

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truly, avowedly, and plainly to every man's understanding, a war for all good principles; and we looked on to the end with faith as well as hope. Never since the glorious morning of the French revolution, before one bloody cloud had risen to overcast its beauty, had the heart of England been affected with so generous and universal a joy. Those who had been panic-stricken by the atrocities of the French demagogues, rejoiced to perceive the uniform and dignified order which the Spaniards observed in all their proceedings, and their adherence to existing establishments;—firmer and more philosophic minds, whose love of liberty had not been weakened by the horrors which a licentious and unprincipled people committed under that sacred name, were delighted that the Spaniards recurred with one accord to those legitimate forms of freedom, which their paralysing despotism had so long suspended; the people universally longed to assist a nation who had risen in defence of their country; and professional politicians, not having time to consider, nor being able to foresee, in what manner these great events would affect their own party purposes, partook of the popular feeling.

The first parliamentary notice of these proceedings was by a speech of Mr Sheridan's, made by him for the purpose of stimulating the ministry to a vigorous co-operation with the Spaniards. "There had never," he said, "existed so happy an opportunity for Great Britain to strike a bold stroke for the rescue of the world. Hitherto, Buonaparte had run a victorious race, because he had contended against princes without dignity, and ministers without wisdom, and fought against countries where the people were indifferent as to his success; he had yet to learn what it was to fight against a people who were animated with one spirit against him. Now was the time to stand up, fully and fairly, for the deliverance of Europe; and, if the ministry would co-operate effectually with the Spanish patriots, they should receive from him as cordial and as sincere a support, as if the man whom he most loved were restored to life and power. Will not (said he,) the animation of the Spanish mind be excited by the knowledge that their cause is espoused, not by ministers alone, but by the parliament and the people of England? If there be a disposition in Spain to resent the insults and injuries, too enormous to be described by language, which they have endured from the tyrant of the earth, will not that disposition be roused to the most sublime exertion by the assurance that their efforts will be cordially aided by a great and powerful nation? Never was any thing so brave, so generous, so noble, as the conduct of the Spaniards! Never was there a more important crisis, than that which their patriotism had thus occasioned in the state of Europe!"

June 15.

Mr Canning replied, "that his Majesty's ministers saw, with the most deep and lively interest, this noble struggle against the unexampled atrocity of France; and that there was the strongest disposition on the part of government to afford every practicable aid in a contest so magnanimous. In endeavouring to afford this aid, he said, it would never occur to them that a state of war existed between Spain and Great Britain. They should proceed upon the principle, that any nation of Eu-

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rope which started up with a determination to oppose a power, which, whether professing insidious peace, or declaring open war, was the common enemy of all nations,—whatever might be the existing political relations of that nation with Great Britain, became instantly our essential ally. As for what were called peculiarly British interests, he disclaimed them as any part of the considerations which influenced government. In this contest, wherein Spain had embarked, no interest could be so purely British, as Spanish success; no conquest so advantageous for Great Britain as conquering from France the complete integrity of the Spanish dominions in every quarter of the world." This declaration satisfied Mr Whitbread; but that gentleman, with an obliquity of understanding which never fails to manifest itself in him when the name of the Corsican is mentioned, once more deprecated the usual tone in which that emperor was spoken of, saying, that, when he heard him called despot, tyrant, plunderer, and common enemy of mankind, he wished from his heart that England could come into the cause with clean hands.

An ill-timed allusion was made by Mr Windham to the commencement of the late hostilities with Spain. "We should remember," he said, "how great an arrear we had to settle, how much Spain had to forget in consequence of the outrage which she had sustained in the capture of her frigates. Were ministers prepared to restore them, and thus prove to Spain the disinterestedness with which we were to embark in her cause?" If this part of his speech was reprehensible, he was not more fortunate in comparing the Spanish revolution to the insurrection in La Vendee. "His opinion," he said, "however late, had been adopted at last. It was now admitted, that the only way of overturning revolutionary despotism, was by aiding the internal means of a country with external co-operation. Now there was nothing external but England; it was Buonaparte and France every where besides; and they who would not take to the pinnace or the long-boat in the late storm, were now glad to catch at any broken oar, or fragment of a plank. When Europe was unsubdued, when Austria was entire, when Prussia was a formidable military power, when Italy was not yet parcelled out, and Spain itself was whole, the internal state of La Vendee held out the fairest hope of arresting the progress of the revolution. What then had been neglected was now looked up to with sanguine expectations,—and the only hope now was, that this insurrection in Spain might prove a La Vendee." No two cases could be more dissimilar than these which Mr Windham thus likened to each other. Our hope was, that those principles, against which the combined powers had originally taken arms, and by which they had been defeated, were now marshalled on our side; and that the common enemy would be overthrown by the spirit of independence, of liberty, of national pride, and national honour,—by the spirit of revolution which had now manifested itself among a people worthy of being free, and virtuous enough to preserve their freedom, if they should succeed in recovering it.

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A few days after this debate, Mr Whitbread, in a speech upon the state of the empire, took occasion to refer to the opinion concerning peace, which he had delivered early * in the session. "I then stated," said he, "that it did not appear to me degrading to this country to propose a negociation for peace with France: at no period of the interval which has elapsed, has it appeared to me that such a proposition would be degrading; nor can I anticipate, during the recess which is about to take place, any circumstance, the occurrence of which can, by possibility, render it unexpedient or degrading on the part of this country to open such a negociation." The common feeling and common sense of the country were shocked at the mention of negociating with Buonaparte, just at the moment when his unexampled treachery towards an ally, was the theme of universal execration; and when a whole nation had just arisen against his insolent aggression. Mr Whitbread felt that he had injured himself in the opinion of the people, and, on the last day of the session, took occasion to express his admiration of the Spanish patriots; and to regret that ministers had not applied for a vote of credit, which would enable them more effectually to second the wishes of all ranks of Englishmen, by aiding and assisting the Spaniards. "Had such a message," he said, "been sent down, it would have been met with the unanimous concurrence of that house: and he was equally certain, that that concurrence would have been echoed throughout the country. The Spanish nation was now committed with France: never were a people engaged in a more arduous and honourable struggle; and he earnestly prayed God to crown their efforts with a success as final as those efforts were glorious. He could not help thinking, that it would have been well to have given an opportunity of manifesting to them the sympathy that glowed in every British heart, through the proper channel, the legitimate organ of the British people. He would abstain, he said, from saying more, or going the length his feelings on such a subject would naturally lead him, as he might be liable to misrepresentations; but he would repeat, that, from the bottom of his soul, he wished success to the patriotic efforts of the Spaniards; and that their present glorious struggle might be crowned with the recovery of their liberty as a people, and the assertion of their independence."

June 4.

July 4.

As a farther avowal of these sentiments, Mr Whitbread addressed a letter, on the situation of Spain, to Lord Holland; "the subject," he said, "being so peculiarly interesting to that distinguished nobleman, from the attachment he had formed to a people among whom he had resided; the grandeur and energy of whose character he had had the opportunity to estimate, and to which he had always done justice; even when that character was obscured by the faults and oppressions of a bad government." Having repeated his professions of ardent sympathy with the Spaniards, he recurred to his proposal for negociating. "It has been falsely and basely stated," said he, "that I advised the purchase of

* See p. 63.

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peace by the abandonment of the heroic Spaniards to their fate. God forbid! A notion so detestable never entered my imagination. Perish the man who could entertain it!—Perish this country, rather than its safety should be owing to a compromise so horridly iniquitous! My feelings, at the time I spoke, ran in a direction totally opposite to any thing so disgusting and abominable." "I am not, however," he pursued, "afraid to say, that the present is a moment in which I think negociation might be proposed to the Emperor of the French by Great Britain, with the certainty of this great advantage, that if the negociation should be refused, we should be at least sure of being *right* in the eyes of God and man; an advantage which, in my opinion, we have never yet possessed, from the commencement of the contest to the present hour; and the value of which is far beyond all calculation.

"If the emancipation of Spain, the enthronement of Ferdinand VII., and the amelioration of the government of that country, through the means of the legitimate organ of their cortes, or any other of their own chusing, could be effected without bloodshed, is there a man existing who would not prefer the accomplishment of these objects by the means of negociation, rather than by the sword? If Mr Fox were happily alive, and had power commensurate with his ability, I see a bare possibility that his genius might turn this crisis to such great account. Nothing should be done but in concert with the Spaniards; and the complete evacuation of Spain by the French armies, the abstinence from all interference in her internal arrangements, the freedom of the royal family, might be the conditions of the negociation. There is no humiliation in such a proposal. What a grateful opportunity would, at the same time, present itself, of making a voluntary proffer of restitutions, which, when demanded, it might, perhaps, be difficult to accede to! What a moment to attempt the salvation of Sweden, and the re-establishment of the tranquillity of the north!

"All this I had in contemplation at the time I said I should not think it improper now to offer a negociation for peace. I should be desirous of conveying these terms to the court at Bayonne, and of proclaiming them to the world. If they should be accepted, is there a statesman who could doubt of their propriety, of their justice, of their honour? If rejected, is there a free spirit in the universe that would not join in applauding the justice and moderation of Great Britain, in condemning the violence, the injustice, and ambition of the Emperor of the French?"

In redeeming himself from the imputation of regarding the cause of the Spaniards with indifference, Mr Whitbread succeeded for the time; but, in all other respects, this*

* Among the many severe comments which this pamphlet occasioned, a very able one appeared in the Weekly Review of Redhead Yorke. After pointing out the absurdity of offering to surrender, for the sake of Ferdinand, all those securities which we had obtained in a cause wholly distinct, he proceeded to Mr Whitbread's statement of the moral advantages which would result from negociating. "Is Spain *wrong*," said he, "in the eyes of God and man for resisting usurpation, and for resorting to bloodshed to maintain her independence? Then if Spain be not

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letter contributed to lower him in the opinion of the public. The folly of wasting time in this farce of negociation; the certainty that such delay would injure the Spaniards, and the probability that it might induce them to regard us with a suspicion, which such conduct would render reasonable; above all, the absurdity of proposing to treat with the tyrant at the very time when he was perpetrating the most flagrant breach of treaties; when he had proved in the eyes of all Europe, that no treaties, no alliances, no ties of public faith, or individual honour, could restrain him,—were so glaring to every man's understanding, that Mr Whitbread's advice appeared like absolute infatuation. So far, indeed, from opening a negociation at this time, and on these grounds, with the Corsican, it behoved us now to have made the war a personal war against him,—to have proclaimed loudly before God and the world, that this country never would treat with a man who had now avowed his contempt for the laws of nations; and given the most open and undoubted proof that he made treaties only for the purpose of more securely effecting the destruction of those who were credulous enough to rely upon his faith. Now was the time to have appealed to the French people themselves: the Spanish war was a war of the Buonaparte family, not of France;—hitherto, Buonaparte and his immediate agents, were the only persons implicated in the infamy of this unexampled treachery and usurpation. Would France appropriate that infamy to herself? Would she, for the sake of these upstart foreigners, entail upon herself the privations, the sacrifices, and the hazards of interminable war? To France we offered peace, under any other ruler; we reclaimed none of her conquests; we asked nothing from her,—we were ready to restore prosperity to her merchants, her citizens, and her peasantry; and to open her ports to the commerce of the world. But peace with Buonaparte was impossible: how could England, so long the object of his avowed and

wrong, Britain must be *right* in carrying succour and support to her cause. The Spaniards are better judges of their own affairs than Mr Whitbread can pretend to be; they have duly weighed the necessity of resisting *by force of arms*, and are sensible of the futility of any other method of proceeding toward a ruffian who acknowledges no laws, human or divine, and who can only be controuled by the same violence with which he controuls others. Is it wise, expedient, or humane, to damp the generous flame which is now burning bright in Spain, and which has set Portugal in a blaze, by holding out proposals of peaceful deliberation, when hostile armies are in the bosom of those countries, laying waste their fields, sacking their towns, and murdering their innocent inhabitants? Would Mr Whitbread talk of conveying terms to the stye, which he calls 'the court of Bayonne,' if a French army were quartered at Kensington, and a detachment of it were emptying the porter lakes in Chiswell-street? Would he write a six-penny pamphlet advising his countrymen to negociate with monsters stained with the blood of his relatives, friends, and fellow-citizens? Would he disarm the noble spirit of resentment against unprovoked wrongs, when heaven itself has, in a manner almost miraculous, infused courage, ability, and energy, into souls which had slept for more than two centuries, and placed the gleaming sword of vengeance in the hand of every Spaniard? Does he, as a man of honour, believe that the proposal he has broached would not be treated in Spain as an insult and a mockery of human nature?"

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inveterate hatred, trust him, when his insatiable ambition did not spare the oldest, the most faithful, the most serviceable, the most submissive of his allies and friends! Proclamations to this tenor should have been put on board every fishing-boat which came from the shores of France, and scattered over the whole of her coasts: the news from Spain should in like manner have been circulated;—the importance of thus communicating true intelligence to the French, was manifested by the care with which Buonaparte kept them in ignorance, and the shameless falsehoods which continually appeared in his official papers. For more than four months, the people of France were kept in total ignorance of the state of affairs in Spain. The Corsican evidently feared them; like all despots, and all lovers of despotism, he at once dreaded and hated the press. Our policy should have been to have brought that powerful engine against him,—to have commenced a war of principle, in which the republicans would have joined, and of which the friends of the old monarchy might have availed themselves; and which would have promised deliverance to a people suffering under the intolerable cruelty of the conscription laws.

Arms, ammunition, and clothing were dispatched to the northern provinces, immediately upon the arrival of the deputies;—"men," they said, "they did not want." The Spanish prisoners were released and sent home; and, in the king's speech, at the close of the session, Spain was recognised as a natural friend and ally. It was there declared, "that the British government would make every exertion for the support of a people thus nobly struggling against the tyranny and usurpation of France; that it would be guided in the choice and direction of its exertions by the wishes of those in whose behalf they were employed; and that, in contributing to the success of this just and glorious cause, England had no other object than that of preserving unimpaired the integrity and independence of the Spanish * monarchy." An order of council † appeared on the same day, announcing that hostilities against Spain had ceased. This measure had been anticipated by our commanders at Gibraltar and on the Cadiz station. General Castanos, who commanded the Spanish army, which had been stationed in the camp of St Roque to threaten Gibraltar, declared for Ferdinand, opened a communication with Sir Hew Dalrymple, then governor of that fortress, and raised a loan there of 50,000 dollars, which was advanced in a few hours by the merchants, without interest, and without other security than the honour of a Spaniard. A French squadron, consisting of five sail of the line and a frigate, under Admiral Rossilly, was lying at Cadiz. Admiral Purvis was invited by the Spaniards to anchor his fleet at the mouth of the harbour, and prevent their escape. The people of Cadiz, finding that the Marquis de Solano, their governor, endeavoured to repress their patriotism, and that he was manifestly in the interest of France, put him to death. The populace, in their indignation, gutted his house, not leaving even a

July 4.

* Appendix, No. XXVIII.

† Appendix, No. XXIX.

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beam standing; but not an article of property was taken. When some one proposed to sell his effects for the benefit of the poor, a general cry made answer, "We want nothing that belonged to a traitor!" The jewels and money which were found, were deposited in the treasury for the public service. The command was then assumed by Don Tomas de Morla, at that time one of the most respectable names in Spain. Morla commanded at Cadiz in 1801, when our expedition appeared before that city, after Sir James Pulteney's attempt upon Ferrol: an attack, which would have been even more disgraceful than that memorable failure, was threatened, and which, had it succeeded, and put us in possession of the place, would have been more fatal in its consequences than the most fatal defeat: for the yellow fever was then raging in the city; this being the first year of its appearance in Spain. Upon this occasion, Morla replied to the summons of the British commander, in a manner as solemn as it was dignified; telling him under what a visitation the people of Cadiz were suffering. It had its due effect, and Sir Ralph Abercrombie instantly forbore from adding the horrors of war to those of pestilence. During the same dreadful season, Morla gave another proof of talent and resolution; for, in defiance of all opposition from the clergy and bigoted populace, he ordered all places of worship to be closed.

Upon his accession to the government, measures were immediately taken for compelling the French fleet to surrender. The French admirals are never deficient either in personal ability or professional skill: Rossilly took a defensive position, in the channel leading to the Caraccas, out of reach of the works. Knowing that every effort would be made to relieve him, and, probably, fully expecting that the force which would be sent to occupy Cadiz would be able to bear down all resistance that the Spaniards could possibly oppose, his object was to gain time. He proposed, first, to quit the bay, for the purpose, as he said, of tranquillizing the people, as his imposing attitude had occasioned some inquietude. In case the English should not assent to this, he then offered to land his guns, keeping his men on board, and not hoisting his colours; in this case, he required that hostages should be exchanged, and demanded protection against the exterior enemy. Morla replied, "that, though these proposals were what it became the French admiral to make, it was incompatible with his honour to accept them; his orders were positive, and he could hear of nothing but an unconditional surrender." Lord Collingwood, who had arrived from before Toulon, to take the command upon this more important station, offered to co-operate with the Spaniards; but, being confident in their own strength, they declined the offer. Batteries were erected on the Isle of Leon, and near Fort Luiz; and from these, and from their gun and mortar-boats, they began the attack, our sailors remaining impatient spectators of a contest carried on at a distance, and protracted from the 9th of June till the 14th. The Spaniards acted wisely in this mode of attack: closer proceedings would have occasioned greater loss on their side, and have injured ships which they wanted for their own use; being sure of having them at last, they wished to take

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them with as little injury as possible; and in this they succeeded. On the morning of the 14th, having in vain attempted to obtain more favourable terms, Rossilly surrendered unconditionally.

Two * addresses to the people, published by Morla upon this occasion, explained why he had proceeded so slowly against the French, and declared his resolution to enforce good order. Every person admired these able compositions; but, upon examining them after the subsequent treachery of their author, it is observable, how carefully he has abstained from any one expression which might imply a sense of the righteousness of the Spanish cause, or indignation against the atrocious usurpation which was intended. Wise, therefore, as his operations against Rossilly's squadron had been, it is to be suspected that Morla acted not more from prudence than from a secret purpose of sparing the French.

Buonaparte had probably relied upon his partizans in Cadiz, upon Solano, and Morla himself, or he would have secured that important city, as he had done Barcelona, before he avowed his intention of usurping the throne of Spain. A siege of Gibraltar had been the pretext under which he marched his troops into the peninsula; and, if the sudden and universal insurrection of the people had not prevented him, a sufficient force would have been stationed before that fortress to have overpowered Castanos, in case he had been found incorruptible; the greater part of the Spanish army, which had not been sent out of the kingdom, being under that general's command. A detachment, under Dupont, had marched from Madrid towards the southward, soon after Murat's arrival in that city. Their destination was for Cadiz, of which place that general had been appointed governor, soon after the mock abdication at Bayonne had been compleated; but some tumults at Toledo required his presence; and immediately afterwards, the disposition of the people of Madrid became so manifest, that Murat thought it prudent to keep the whole of his force in the vicinity of that city. But when Seville and Cadiz declared for Ferdinand, perilous as his situation was in the capital, it became of the utmost importance that a vigorous effort should be made to reduce these important cities; and Dupont, with a considerable force, was instantly dispatched upon that service.

A long and deep chain of mountains, called the Sierra Morena, (a name which Cervantes has made familiar throughout the whole of Europe,) divides Andalusia from New Castile, and from Estremadura. The passes are exceedingly strong; Dupont crossed them, without opposition, and descended upon the city of Cordova, which lies at their foot. The city was feebly defended; for the armed inhabitants did not stand their ground, and the regular force was not sufficient to oppose such a body of disciplined troops. He obtained possession of it after a conflict of two hours,—but here his successes ended; for tidings reached him of the surrender of the fleet; the passes of the Sierra were occupied by the peasantry; the country rose on all sides; and Castanos ad-

* Appendix, No. XXX.

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vanced against him with all the force of Andalusia, and with a considerable body of troops from Ceuta, which had been sent to garrison that place early in the year, in consequence of a rumour that England designed to attack it. Dupont expected to be joined by three or four thousand men from Junot's army, who were ordered to proceed along the coast of Algarve and cross the Guadiana; but a body of English troops, from Gibraltar, under General Spenser, took post at Ayamonte, and defeated this intention. Instead of advancing, therefore, to Ecija, where the troops whom he had defeated at Cordova were rallying under Echevarri, he found it necessary to fall back to Andujar.

Here his situation soon became perilous. Castanos, acting upon the wise principles which the Junta of Seville had laid down, continually harassed the enemy, without venturing to a battle till he had previously given confidence to his troops, and brought them into habits of discipline. All the hospital stores of the French, together with a large convoy of supplies from Toledo, were intercepted in the mountains: and their soldiers were soon obliged to reap the standing corn, and make it into bread for themselves, the peasantry having left the harvest to take arms against them. They were not long at leisure to do this,—the perpetual alarms given them by the Spaniards on all sides, kept them always under arms. A council of war was held by Castanos, on the 17th of July, and it was determined that the united divisions of the Marquis de Campagny, and of Major-Gen. Theodore Reding, (brother of Aloys, the Swiss patriot,) should attack the van of the French army at Baylen, while the third division and the reserve made a feigned attack upon Andujar, to distract the enemy's attention. Reding, on the following morning, won *July* 18. the village of Baylen, where the French general Gobert had been stationed to guard the road to La Carolina, as of the utmost importance in maintaining a communication with Madrid. Having thus succeeded, he was ordered by the commander in chief not to pursue the retreating column, but to march against Andujar without delay, and attack that place in flank, while he, with the remainder of his force, should assail it in front. This was prevented by the sudden movement of Dupont: the height in the neighbourhood of Andujar had been occupied on the 15th by General Don Manuel de La Pena, and Field Marshal Don Felix Jones, who from thence annoyed them with great effect. They were too strongly posted to be attacked with success; and Dupont had determined upon a more important enterprize. At nine on the evening of the 18th, he evacuated Andujar, after pillaging it, and took the road towards Baylen.

Castanos complained in his dispatches, that the people of Andujar did not give him the slightest notice of these movements. That city contains about 14,000 inhabitants; and though a few of the higher orders may have been corrupted, it cannot be supposed that the people in general were well disposed to a set of ruffians, who had for some weeks been preying upon them. Dupont's measures were, probably, kept secret till the moment of executing them; and the art of obtaining intelligence seems to have been ill understood both by the Spaniards and

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their allies, during the whole of this year's war. At two in the morning of the 19th, Castanos was informed of their retreat; he immediately ordered General Pena to pursue and harass the enemy's rear, expecting that, by Reding's advance, they would thus be placed between two fires. The Swiss general, meantime, having repassed the Gudalquivir, and effected a junction with Campagny, was forming his troops, at three in the morning of the 19th, to march against Andujar, when Dupont fell upon him, thinking to take him by surprise. The attack was made with great vehemence, and would not improbably have been successful, had not the Spaniards, owing to their intended movement, been in some degree of readiness. The first company, both of horse and of foot, suffered greatly; nevertheless, the Spaniards rapidly took their stations, and repelled their assailants on all points. Their lines were sometimes broken, and the French, fighting with the resolution of men who had never yet known what it was to be defeated, even made way to their batteries; but the Spaniards stood firm; they had confidence in their officers and in their own strength; they knew that they had reinforcements at hand, and that the enemy's situation, if they repelled them, was desperate,—above all, they had that perfect conviction of the righteousness of their cause, which, when other points are equal, will inevitably turn the scale. Campagny, who held the post of camp-marshal, and the Brigadier-General Don Francisco Vanegas, both distinguished themselves as much by their skill as their intrepidity. The action continued, without any other interruption than what arose from occasional recession and the formation of new columns, till half past twelve of the following noon, when Dupont, with all his generals, putting himself at the head of the columns, made a last desperate charge, which the French supported with great firmness, attempting, at the same time, to break the centre of the Spaniards, and turn the right wing; they were, however, finally repulsed, with great loss, Dupont himself being wounded, and 2000 of his men killed. At two o'clock, Pena's division came up: as soon as the guns of his advanced guard began to fire, Dupont sent a flag of truce, and proposed to surrender.

The French general Wedel had been dispatched from Madrid, with 6000 troops, to the succour of Dupont, who ordered him to guard the roads from Jaen to Baylen and to Ubeda. During the truce, this general advanced upon Baylen, and, in violation of the laws of war, suddenly attacked Reding, who was altogether unprepared for this act of treachery. The battalion of Cordova was surprised and made prisoners, and two field-pieces were also taken; but the success, thus basely obtained, was dearly purchased; for Dupont, in consequence, was compelled to include Wedel in the capitulation, with all the French troops who might be stationed between the summit of the Sierra and Baylen. The French force before the battle amounted to 14,000, that of the Spaniards to 25,000, half of whom were peasantry. When Dupont first demanded terms, Castanos replied, that he would grant no other than that they should be prisoners of war, with permission to the general and his officers to wear their swords, and take with them a portmanteau each,

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filled with clothes only, in consequence of the pillage which they had committed; and in the official dispatches it was stated, that the whole of Dupont's division were prisoners of war, whereas, those under Wedel were to be sent to France by sea. These terms were communicated to the Junta of Seville both by Castanos and by Count de Tilly,* one of their own body, who was with the army, and they were officially made known to Lord Collingwood. Nevertheless, it seems, by what afterwards occurred, that the actual capitulation was of a very different character,—that Castanos did not insist upon stripping the French of their plunder, and that he agreed to transport the whole of them to Rochefort. Why the first official accounts differ so materially from the truth, has not been explained; nor why terms were granted so much more favourable than Dupont, under such circumstances, was entitled to demand. It is more easy to discover why they were not executed.

Dupont had entered Andalusia in full expectation of easily crushing the rebels, as he styled them, following the monstrous language of his master. According, therefore, to the usual custom of the French generals, he had plundered wherever he went; his soldiers had been let loose upon the country, and nothing was safe from their rapacity, their cruelty, and their lust. Cordova, where they had experienced some resistance, suffered especially; but the people of Andujar, who forbore to aid their countrymen, in the hope, perhaps, of purchasing their own security by submission, were also pillaged without mercy. The Andalusians, therefore, were exasperated against the French on account of these atrocities, as well as by that general feeling of just indignation which the cause of the war necessarily excited. Their Junta had issued a formal declaration of hostilities against France; but the people knew and felt that this was not an ordinary war, and that no formality could make it so; that the French had not entered their country as fair and honourable enemies, but basely and perfidiously, in the character of allies; that their actions, after this first treachery, had been those of thieves, ruffians, and murderers; and that thus, by the complicated villany of their cause and their conduct, they had forfeited all claim to the common courtesies and observances of war. The Spaniards, therefore, did not consider these men as soldiers, but as criminals: they had laid down their arms, but they could not lay down their crimes; and it was impossible for those who had any sense of the importance of the contest in which they were engaged, the sanctity of the principles for which they were struggling, even of what was due to their own honour and individual feelings, to regard the French as they would have regarded any other enemies. Dupont, after his surrender, invited the Spanish officers to dine with him, and they, one and all, peremptorily refused,

* "The division of Dupont, with all its baggage, its booty, and all its generals, are prisoners of war; and the other divisions which occupy his majesty's dominions, from the summit of the Sierra to Baylen, are to evacuate the peninsula by sea. *This is the principal point of the treaty which General Castanos and myself had the satisfaction to sign last night.*"—COUNT DE TILLY'S *Dispatch.*

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without assigning any apology or excuse,—but with an undisguised impulse of abhorrence, shrinking from him, as from one with whom it was infamous to associate.

It is said that letters were intercepted which he had dispatched to Junot after his capitulation, urging him to march with his main force into Andalusia, pointing out to him what places to attack, and promising to rally the prisoners, and join him. Whether this were true, or only a fabrication, intended to excuse the junta for breaking the engagement into which Castanos had entered, Dupont soon perceived that it was not intended to transport his army to France; and he addressed a letter of complaint to Morla. Morla replied, that the conditions of the treaty were in themselves impossible. The Spaniards had neither transports nor the means of procuring them; nor, if they had, was it to be supposed that the English would suffer them to pass, certain as they must be, that the French would immediately carry on the war on some other point, or perhaps on the same. Neither Castanos, he said, nor Dupont himself, could ever have thought that the capitulation would be executed; the object of the former was to relieve himself from embarrassment; that of the latter, to obtain conditions, which, though impossible, might give an appearance of honour to his surrender. Each had obtained what he desired, and now the imperious law of necessity must be obeyed.

There can be little doubt that Morla was originally disposed to submit to the French; his subsequent conduct is not explicable upon any other supposition;—but it seems as if the great and unexpected success of the Spaniards had shaken him, and that he was willing to be a patriot, while patriotism was triumphant. In his correspondence with Admiral Rossilly, he had carefully abstained from all language which might foment the indignation of his countrymen, and offend Buonaparte. Now, on the contrary, he spoke boldly, and asked Dupont what right such an army as his could have to demand the execution of treaties? Had it not entered Spain professing friendship and alliance; imprisoned the king and the royal family; plundered his palaces; ravaged his towns; and robbed and assassinated his subjects? The national character of the Spaniards, he said, would not permit their rulers to treat such enemies otherwise than as they were treated; and Dupont was warned against drawing upon himself, by his imprudence, more and more the indignation of the people, and admonished, by submission and a suitable behaviour, to weaken the strong sense of the atrocities he had committed at Cordova.* That general, and his staff, however, would have been sent to France, had it not been for an accident which inflamed the indignation of the Spaniards to the highest degree. As his baggage was on the way to the water-side to be embarked, some church-plate, part of the plunder from Cordova, fell out of one of the bags. It was seen by the people, and they instantly seized upon the whole of the plunder which these wretches were about to carry off. Dupont, with that effrontery which never forsakes a Frenchman, addressed a second letter to Morla, in

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which he "invoked the principles of honour and probity for the restitution of his property." This provoked the indignant reply which it deserved. "It never was my intention," said Morla, "and still less that of the Supreme Junta, that you and your army should carry out of Spain the fruit of your rapacity, cruelty, and impiety. How could you conceive this possible? How could you imagine us to be so stupid and senseless? Can a capitulation, which speaks only of your equipage, give you a property in the treasures which your army has accumulated by means of murder, cruelty, and sacrilege? Is there any reason, or right, which requires that faith, or even humanity, should be observed towards an army which entered the kingdom of a friend and ally under false pretences, seized its king and all his family, extorted from him a renunciation in favour of their own monarch, and, because the nation would not submit to a transfer, which, even if their king had been at liberty, he had no power to make, proceeded to pillage the palaces and towns, to profane and plunder the churches, murdering the ministers of the altar, ravishing virgins, seizing every article of value which they could transport, and destroying what they were forced to leave behind? Is it possible," said Morla, "that they, when deprived of the fruits of their iniquity, should have the impudence to appeal to the principles of honour and probity? My natural moderation," he added, "has induced me to write to your excellency hitherto with a certain respect; but, in reply to such extraordinary demands, which amount to this, 'do you sack the temples and houses of Cadiz, in order to indemnify me for the plunder of Cordova and other towns, which the populace have taken from me,' I could not refrain from drawing a slight sketch of your conduct. Lay aside such expectations, and congratulate yourselves that the noble character of the Spanish people makes them abstain from exercising the vile office of executioners." *

Dupont and his staff were now detained as prisoners. It would probably have been dangerous to have embarked them; and the general himself, perhaps, began to apprehend, that, however wretched his situation in Spain, there was little hope of amending it by returning to France. Morla informed the people that their transportation was suspended by the Junta of Seville, for weighty reasons, not fit to be made public. Those reasons have never transpired; but, for the terms which Castanos had agreed to, of carrying the whole army to France, it is manifest that such terms ought not to have been granted, and that the Junta of Seville could not execute them without betraying their country,—for what was it but transporting these ruffians out of Andalusia, that they might recross the Pyrenees, and begin their atrocities anew; first in other provinces, and finally in Andalusia itself, whither they would return with additional forces to compleat their work, and take vengeance for their defeat? It is not to be supposed that any terms can bind a government to act in direct, certain, and manifest opposition to the welfare of the people; but it behoved the Junta of Seville solemnly to have proclaimed this, to have disavowed

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the act of their general, and to have censured him, notwithstanding his victory.

The feeling of the Spaniards was so strong, in consequence of the atrocities which they had witnessed, that Morla was called upon, by anonymous letters from many parts of Spain, to consider Dupont and the other generals as robbers and murderers, and bring them to condign punishment. If Murat, indeed, had been made prisoner, the executions which he had ordered at Madrid after the insurrection, and in cool blood, would have justified the Spaniards in putting him, and every member of his bloody tribunal, to a public and shameful death; the blood of their murdered brethren, the honour of their country, and the general good of mankind, would have required such an example. With regard to Dupont and his staff, it was otherwise; and Morla, who thought the wish of putting them to death was disgraceful to his countrymen, ought not to have affixed a stain upon them by publicly replying to anonymous letters. But it is apparent, from the general style of his reply, that he now expected Buonaparte would be successful in his usurpation, and that he took this opportunity of publishing opinions to which he might refer as proofs of consistency, after he should have abandoned the patriotic cause, and betrayed his country.—In detaining the prisoners, he said, he had only obeyed the Junta of Seville; to obey was all he had to do; for it was not in his character or manner of thinking ever to resist a constituted authority; such resistance could only occasion civil dissentions, which were the greatest evils a nation could suffer, and which he would never spare any sacrifice to avoid.* This might have been the careless language of an honest man, but it became apparent that Morla had weighed his expressions well, and used them with a definite meaning, and a definite purpose, when he afterwards acknowledged the government of the intruder as a constituted authority; informed the Spaniards that no evil was so great as that of seeing their country the seat of war, and exhorted them to put an end to that evil by the sacrifice of individual honour and national independence, and becoming slaves and traitors like himself.

By the battle of Baylen, Andalusia was left in peace; not a single Frenchman in arms remained in the whole province. The victory was splendid in itself, and of great importance in its immediate consequences; it was worthy of thanksgiving and rejoicings, and policy required that the Junta should celebrate it with ostentatious solemnities. Castanos had made a vow to dedicate his victory to King St Fernando, who, having won the city of Seville from the Moors, is worshipped there with especial veneration. The ceremony was performed on the 4th of August, with great pomp, and the French eagles were offered at the shrine of the canonized conqueror, as trophies of the most signal victory that had been achieved in Andalusia since his time. But, in the language of Castanos, there were marks of vanity and boastfulness which detracted from the estimation in which he had previously been held; he arrogated to himself as much merit for the victory, as if he, and not Reding, had commanded in the field.

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CHAP. XVI.

Siege of Zaragoza. Description of that city. Legend of our Lady of the Pillar. Contempt expressed by French writers for the character of the citizens. Lefebvre attempts to force the city, and is repulsed: he is re-inforced by General Verdier from Pamplona, and wins Torrero. Heroism of the women. Countess Burita. The French bombard the city; they attempt to storm it, and are again defeated. They cross the river, and complete the investment of the place. Batteries erected against the gate of St Engracia. History of that church and convent, which are now destroyed. The French enter the city, obtain possession of half of it, and are finally driven out.

While the patriots were thus triumphant in Andalusia, their brethren in other parts of the peninsula were encountering greater danger with the same spirit and resolution. Early in June, before it was possible that any plan could be executed for defending the province, the French dispatched General Lefebvre with 8000 infantry, and 900 horse from Pamplona against Zaragoza. The Marquis de Lazan, Palafox's elder brother, collected some armed peasantry, and attempted to oppose this army in the neighbourhood of Tudela. Such a force was unable to cope with regular troops in the open field; they were compelled to retreat to the village of Mallen, and *June* 13. there suffered a second defeat, with considerable loss, though their position was supported by an olive grove, between the canal of Aragon on their right, and the village on their left. The chief prisoners were put to death; the French generals, from the beginning of this war, acting upon the infamous principle of the tyrant whom they served, that all who opposed him were to be considered as rebels. On the following day, June 14th, the French advanced to Alagon, about sixteen miles from Zaragoza.—The citizens, half-armed, and undisciplined as they were, compelled Palafox to lead them out; they soon found the enemy in order of battle on a plain, where his cavalry and flying artillery gave him a decided superiority. The patriots were again defeated; but their handful of regulars, who had now been joined by a few fusileers, protected their retreat

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ith great steadiness. The victorious army advanced, and took up a osition very near the city, and covered by a rising ground planted ith olive trees.

Zaragoza is not a * fortified town; has no advantages of situation for s defence, and would not have been onsidered as capable of resistance y any men but those whose courage roceeded from a virtuous and holy rinciple of duty. It stands in an pen plain, which is covered with live grounds, and bounded on either and by high and distant mountains; but it is commanded by some high ground called the Torrero, about a mile to the south-west, upon which there is a convent, with some smaller buildings. The canal of Aragon divides this elevation from another rising ground, where the patriots had erected a battery. The Ebro bathes the walls of the city, and separates it from the suburbs; it has two bridges, within musket-shot of each other; one of wood, said to be more beautiful than any other of the like materials in Europe; the other, of freestone, consisting of seven arches, of which the principal is 122 feet in diameter; the river is fordable above the city. Two smaller rivers, the Galego and the Guerva, flow at a little distance from the city, the one on the east, the other on the west; the latter being separated from the walls only by the breadth of the common road: both are received into the Ebro. Unlike most other places of the peninsula, Zaragoza has neither aqueduct nor fountains, but derives its water wholly from the river. The people of Tortosa, (and probably of the other towns upon its course,) drink also of the Ebro, preferring it to the finest spring; the water is of a dirty red colour, but, having stood a few hours, it becomes perfectly clear, and has a softness and pleasantness of taste, which soon induces strangers to agree with the natives in their preference of it. The population was stated in the census of 1787 at 42,600; that of 1797, excellent as it is in all other respects, has the fault of not specifying the places in each district; late accounts compute its inhabitants at 60,000, and it is certainly one of the largest cities in the peninsula. It has twelve gates, four of them in the old wall of Augustus, by whom the older town of Salduba upon the same site was enlarged, beautified, and called Cæsarea Augusta, or Cæsaraugusta; a word easily corrupted into its † present name.

The whole city, even its convents and churches, are built of brick; the houses are not as high as they usually are in old Spanish towns, their general height being only three storeys; the streets are, as usual, very narrow and crooked; there are, however, open market-places, and one very wide, long, and regularly-built street, formerly called the Calle Santa, having been the scene of many

* "Elle est sans defense et sans fortification," said Colmenar, writing a century ago, "fermée d'une simple muraille; *mais ce défaut est reparé par la bravoure des habitans.*" After the proofs which the inhabitants have given of their patriotism, the praise appears like prophecy.

† The Spaniards, by a more curious corruption, call Syracuse, Zaragoza de Sicilia.

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martyrdoms, but now more commonly known by the name of the Cozo. The people, like the rest of the Aragonese, and their neighbours, the Catalans, have been always honourably distinguished in Spanish history for their love of liberty; and the many unavailing struggles which they have made during the last four centuries, have not abated their attachment to the good principles of their forefathers. Within the peninsula, (and once indeed throughout the whole of Catholic Europe,) Zaragoza is famous as the city of our Lady of the Pillar, whose legend is still so firmly believed by the people, and most of the clergy in Spain, that it was frequently appealed to in the proclamations of the different generals and juntas, as one of the most popular articles of the national faith. The legend is this; when the apostles, after the resurrection, separated and went to preach the gospel in different parts of the world, St James the elder, or Santiago, as he may more properly be called in his Mythological History, departed for Spain, which province, Christ himself had previously commended to his care. When he went to kiss the hand of the Virgin, and request her leave to set off, and her blessing, she adjured him, in the name of her son, to build a church to her honour in that city Spain wherein he should make th greatest number of converts, ad ing, that she would there give hi farther instructions concerning th edifice. Santiago set sail, landed i Galicia, and, having preached wit little success through the norther provinces, reached Cæsarea-Augu ta, where he made eight disciple One night, after he had been con versing and praying with them a usual, on the banks of the river, the fell asleep, and just at midnight th apostle heard the angels sing, *Av Maria gratia plena.* He fell on hi knees, and instantly beheld the Vir gin upon a marble pillar in the mids of a choir of angels, who went throug the whole of her matin service.— When this was ended, she bade hin build her church around that pillar which his Lord, her blessed Son, ha sent him by the hands of his angels there; she told him, that pillar was t remain till the end of the world, an great mercies would be vouchsa there to those who supplicated them in her name. Having said th the angels transported her back her house at Jerusalem, (for this before the Assumption) and Sa ago, in obedience, erected there first church which was ever dedica to the Virgin.*

* *Hist. Apparitionis Deiparæ supra Columnam, Beato Jacobo apud Cæsare tam prædicante. Ex cod. membraneo, qui in Archivo Sanctæ Maria de Pilar servatur.* Espana Sagrada, T. 30. P. 426. Risco adds to this account, the Coll which, from time immemorial, has been used in the Church of the Pillar. It be added as a curiosity for those who are not accustomed to such things. *O potens æterne Deus, qui Sacratissimam Virginem matrem tuam inter choros A lorum super columna Marmorea a te ab alto emissa venire; dum adhuc viveret, natus est, ut Basilica de Pilari in ejus honorem a Protomartyre apostolorum Ja suisque sanctissimis discipulis ædificaretur; præsta quæsumus ut ejus meritis et tercessione fiat impetrabile quod fida mente poscimus. Qui vivas et regnas,* &c.

The French, as may be supposed, ridicule this fable; but, it is worthy of mark, that, in the early part of the last century, the Spanish annalist, Ferreras, presented the story as of doubtful authority; his book passed through the hand

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Many mournful scenes of bigotry and superstition have been exhibited in Zaragoza; but, in these fiery trials which Buonaparte's tyranny was preparing for the inhabitants, the dross and tinsel of their faith disappeared, and its pure gold remained. The French, a people of too little feeling to understand a character so infinitely above them as that of the Spaniards, speak with peculiar contempt of the Zaragozans. "Few persons," they said, "are to be seen among them who distinguish themselves by their dress; there is little of that elegant attire so observable in large cities. All is serious and regular,—dull and monotonous. The place seems without any kind of resource, because the inhabitants use no effort to obtain any;—accustomed to a state of apathy and languor, they have not an idea of the possibility of shaking it off." * With this feeling, equally despising the strength of the place, and the character of the people, the French proceeded to besiege Zaragoza. A party of their cavalry entered the town on the 14th, perhaps in pursuit of the retreating patriots; they thought to scour the streets, but they were soon made to feel, that the superiority of disciplined soldiers to citizens, exists only in the field.

June 15. On the following morning, the French, with part of their force, attacked the outposts upon the canal, and, with their main body, attempted to storm the city by the gate called Portillo. A desperate conflict ensued. The Aragonese fought with a spirit worthy of their cause. They had neither time, nor room, nor necessity for order. Their cannon, which they had hastily planted before the gates, and in the best situations without the town, were served by any persons who happened to be near them; any one gave orders who felt himself competent to take the command. A party of the enemy entered the town, and were all put to death. Lefebvre perceived that it was hopeless to persist in the attack with his present force, and drew off his troops, having suffered great loss. The patriots lost about 2000 men killed, and as many wounded. In such a conflict, the circumstances are so materially in favour of the defendants, that the carnage made among the French must have been very much greater. Their baggage and plunder was left behind them in their retreat. The conquerors would have exposed themselves by a rash pursuit, but Palafox exhorted them not to be impatient, telling them, that the enemy would give them frequent opportunities to display their courage. While he thus restrained their impetuosity, he continued to excite their zeal. This victory, he said, was but the commencement of the triumphs which they were to expect under the powerful assistance of their divine patrons. The precious blood of their brethren had been shed in the field of glory,—on their own soil. Those blessed martyrs required new vic-

the usual censors, and was printed; and then Philip V. the first of the Bourbon dynasty in Spain, a Frenchman by birth and education, personally interfered, commanded Ferreras to cancel the heretical leaf, and sent the edict in which this was decreed, to Zaragoza, there to be deposited among the archives of the Virgin's Church, in proof of his especial devotion to our Lady of the Pillar.

* Laborde.

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tims; let us, he added, prepare for the sacrifice!

The Zaragozans had obtained only a respite; defeated as he was, Lefebvre had only removed beyond the reach of their guns; his army was far superior to any which they could bring against it; and it was not to be doubted that he would soon return in greater force, to take vengeance for the repulse and the disgrace which he had suffered. A regular siege was to be expected; how were the citizens to sustain it with their mud walls, without heavy artillery, and without troops who could sally to interrupt the besiegers in their works? In spite of all these discouraging circumstances, (says Mr Vaughan, to whom the English are indebted for a narrative of this most glorious and memorable siege,) the people, confiding in God, in their own courage, and in the justice of their cause, determined to defend the streets of their city to the last extremity. Palafox, immediately after the repulse of the enemy, set out to collect reinforcements, to provide such resources for the siege as he could, and to place the rest of Aragon in a state of defence, if the capital should fall. He found about fourteen hundred soldiers who had escaped from Madrid, and he united with them a small division of militia who had been stationed in the city of Calatayud. Small as this force was, such was the ardour of the men, that he resolved, in compliance with their urgent desire, to attack the French, and marched to Epila, thinking to advance to the village of La Muela, and thus place the invaders between his little army and the city, in the hope of cutting them off from their reinforcements. Lefebvre prevented this, by suddenly attacking him at Epila, on the night of the 23d; after a most obstinate resistance, the superior numbers, arms, and discipline of the French, were successful. The wreck of this gallant band retreated to Calatayud, and afterwards, with great difficulty, threw themselves into Zaragoza.

The besiegers' army was soon reinforced by General Verdier, with 2500 men, besides some battalions of Portugueze, who, according to the devilish system of Buonaparte's tyranny, had been forced out of their own country, to be pushed on in the foremost ranks, wherever the first fire of a battery was to be received, a line of bayonets clogged, or a ditch filled, with bodies. They occupied the best positions in the surrounding plain, and, on the 27th, attacked the city and the Torrero, but they were repulsed with the loss of 800 men, six pieces of artillery, and five carts of ammunition. By this time, they had invested nearly half the town. The next morning, they renewed the attack at both places; from the city they were again repulsed, losing almost all the cavalry who were engaged. The Torrero was lost by the misconduct of an artillery officer, who made his men abandon the batteries at the most critical moment. For this treachery he was condemned to run the gauntlet six times, the soldiers beating him with their ramrods, and then he was shot.

The French, having now received a train of mortars, howitzers, and twelve-pounders, which were of sufficient calibre against mud walls, kept up a constant fire, and showered down shells and grenades from the Torrero. About twelve hundred were thrown into the town, and there was not one building that was bomb-proof within the walls. After a time,

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the inhabitants placed beams of timber together, endways, against the houses, in a sloping direction, behind which those who were near when a shell fell, might shelter themselves. The enemy continued also to invest the city more closely, while the Aragonese made every effort to strengthen their means of defence. They tore down the awnings from their windows, and formed them into sacks, which they filled with sand, and piled up before the gates, in the form of a battery, digging round it a deep trench. They broke holes for musquetry in the mud walls and intermediate buildings, and stationed cannon where the position was favourable for it. The houses in the environs were destroyed. "Gardens and olive grounds," says Mr Vaughan, "that in better times had been the recreation and support of their owners, were cheerfully rooted up by the proprietors themselves, wherever they impeded the defence of the city, or covered the approach of the enemy." Women of all ranks assisted; they formed themselves into companies, some to relieve the wounded, some to carry water, wine, and provisions, to those who defended the gates. The Countess Burita instituted a corps for this service, a lady of great rank, young, delicate, and beautiful. In the midst of the most tremendous fire of shot and shells, she was seen coolly attending to those occupations which were now become her duty; nor throughout the whole of a two month's siege did the imminent danger, to which she incessantly exposed herself, produce the slightest apparent effect upon her, or in the slightest degree bend her from her heroic purpose. Some of the monks bore arms; others exercised their spiritual offices to the dying; others, with the nuns, were busied in making cartridges which the children distributed. Among threescore thousand persons there will always be found some wretches wicked enough for any employment, and the art of corrupting has constituted great part of the French system of war. During the night of the 28th, the powder magazine, in the area where the bull-fights were performed, which was in the very heart of the city, was blown up, by which explosion fourteen houses were destroyed, and about 200 persons killed. This was the signal for the enemy to appear before three gates which had been sold to them. And while the inhabitants were digging out their fellow-citizens from the ruins, they opened a fire upon them with mortars, howitzers, and cannons, which had now been received for battering the town. Their attack seemed chiefly to be directed against the gate called Portillo, and a large square building near it, without the walls, and surrounded by a deep ditch; though called a castle, it serves only for a prison. The sandbag battery before this gate was frequently destroyed, and as often reconstructed under the fire of the enemy. The carnage here throughout the day was dreadful. Augustina Zaragoza, a handsome woman of the lower class, about 22 years of age, arrived at this battery with refreshments, at the moment when not a man who defended it was left alive, so tremendous was the fire which the French kept up upon it. For a moment the citizens hesitated to reman the guns. Augustina sprung forward over the dead and dying, snatched a match from the hand of a dead ar-

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tilleryman, and fired off a six-and-twenty-pounder; then, jumping upon the gun, made a solemn vow never to quit it alive during the siege. Such a sight could not but animate with fresh courage all who beheld it. The Zaragozans rushed into the battery, and renewed their fire with greater vigour than ever, and the French were repulsed here, and at all other points, with great slaughter. On the morning of this day, a fellow was detected going out of the city with letters to Murat. It was not till after these repeated proofs of treasonable practices, that the French residents in Zaragoza, with other suspected persons, were taken into custody.

Lefebvre now supposing that his destructive bombardment must have dismayed the people, and convinced them how impossible it was for so defenceless a city to persist in withstanding him, again attempted to force his way into the town, thinking that, as soon as his troops could effect a lodgement within the gates, the Zaragozans would submit. On the 2d of July, a column of his army marched out of their battery, which was almost within musket-shot of the Portillo, and advanced towards it with fixed bayonets, and without firing a shot. But when they reached the castle, such a discharge of grape and musquetry was opened upon their flank, that, notwithstanding the most spirited exertions of their officers, the column immediately dispersed. The remainder of their force had been drawn up to support their attack, and follow them into the city; but it was impossible to bring them a second time to the charge. The general, however, ordered another column instantly to advance against the gate of the Carmen, on the left of the Portillo.—This entrance was defended by a sand-bag battery, and by musqueteers, who lined the walls on each side, and commanded two out of three approaches to it; and here also the French suffered great loss, and were repulsed.

The military men in Zaragoza considered these attacks as extremely injudicious. Lefebvre probably was so indignant at meeting with any opposition from a people whom he despised, and a place which, according to the rules and pedantry of war, was not tenable, that he lost his temper, and thought to subdue them the shortest way, by mere violence and superior force. Having found his mistake, he proceeded to invest the city still more closely. In the beginning of the siege, the besieged received some scanty succours; yet, however scanty, they were of importance. Four hundred soldiers from the regiment of Estremadura, small parties from other corps, and a few artillerymen got in. Two hundred of the militia of Logrono were added to these artillerymen, and soon learnt their new service, being in the presence of an enemy whom they had such righteous reason to abhor.—Two four-and-twenty-pounders and a few shells, which were much wanted, were procured from Lerida.—The enemy, meantime, were amply supplied with stores from the magazine in the citadel of Pamplona, which they had so perfidiously seized on their first entrance, as allies, into Spain. Hitherto they had remained on the right* bank of the Ebro. On the 11th of July they

* In military language, you always describe the country by the current of water,

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forced the passage of the ford, and posted troops enough on the opposite side to protect their workmen while forming a floating bridge. In spite of all the efforts of the Aragonese, this bridge was completed on the 14th; a way was thus made for their cavalry, to their superiority in which the French have been mostly indebted for all their victories in Spain. This gave them the command of the surrounding country; they destroyed the mills, levied contributions on the villages, and cut off every communication by which the besieged had hitherto received supplies. These new difficulties called out new resources in this admirable people and their general,—a man worthy of commanding such a people in such times. Corn mills, worked by horses, were erected in various parts of the city; the monks were employed in manufacturing gunpowder, materials for which were obtained by immediately collecting all the sulphur in the place, by washing the soil of the streets to extract its nitre, and making charcoal from the stalks of hemp, which in that part of Spain grow to a very unusual * magnitude.

By the end of July the city was completely invested, the supply of food was scanty, and the inhabitants had no reason to expect succour.—Their exertions had now been unremitted for forty-six days, and nothing but such a cause could have supported their bodily strength and their spirit under such trials. They were in hourly expectation of another general attack, or another bombardment. They had not a single place of security for the sick and the children, and the number of wounded was daily increased by repeated skirmishes, in which they engaged for the purpose of opening a communication with the country. At this juncture they made one desperate effort to recover the Torrero. It was in vain; and convinced by repeated losses, and especially by this last repulse, that it was hopeless to make any effectual sally, they resolved to abide the issue of the contest within the walls, and conquer or perish there.

On the night of the 2d of August, and on the following day, the French bombarded the city from their batteries opposite the gate of the Carmen. A foundling hospital, which was now filled with the sick and wounded, took fire, and was rapidly consumed. During this scene of horror, the most intrepid exertions were made to rescue these helpless sufferers from the flames. No person thought of his own property or individual concerns,—every one hastened here. The women were eminently conspicuous in their exertions, regardless of the shot and shells which fell about them, and braving the flames of the building. It has often been remarked, that the wickedness of women exceeds that of the other sex;—for the same reason, when circumstances, forcing them out of the sphere of their ordinary

and speak as if you were looking down the stream. It was requisite to explain this to the court upon Whitelocke's trial, and therefore the explanation cannot be thought unnecessary here.

* "On this simple foundation," says Mr Vaughan, "a regular manufactory of gunpowder was formed after the siege, which produced 13 arrobas of Castile per day; that is, 325lb. of 12 ounces.

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nature, compel them to exercise manly virtues, they display them in the highest degree, and, when they are once awakened to a sense of patriotism, they carry the principle to its most heroic pitch. The loss of women and boys, during this siege, was very great, fully proportionate to that of men; they were always the most forward, and the difficulty was to teach them a prudent and proper sense of their danger.

Aug. 3. On the following day, the French completed their batteries upon the right bank of the Guerva, within pistol-shot of the gate of St Engracia, so called from a splendid church and convent of Jeronimites, situated on one side of it. This convent was, on many accounts, a remarkable place. Men of letters beheld it with reverence, because the excellent historian Zurita spent the last years of his life there, observing the rules of the community, though he had not entered into the order; and because he was buried there, and his countryman and fellow labourer, Geronymo de Blancas, after him. Devotees revered it, even in the neighbourhood of our Lady of the Pillar, for its relics and the saint to whom it was dedicated. According to the legend, she was the daughter of Ont Comerus, a barbarian chief, in the pay of the Romans, by whom the city of Norba Cæsarea, (situated near the Tagus, between the present towns of Portalegre and Alcantara) was given him, together with its district, for his service in recovering it from Cathelius, a chief of the Alemanni. His daughter, Encratis, or Encratide, (for from one of these names Engracia has been formed) was brought up a Christian, and espoused to a governor on the Gallic side of the Pyrenees, to whom she was sent with a suitable escort. Their way lay through Cæsarea Augusta, where the Præses, or Governor of Spain, Publius Dacianus, the bloodiest minister of the tenth persecution, was at that time endeavouring to extirpate Christianity. Engracia, either preferring martyrdom to her unknown spouse, or imagining that her rank would be her safeguard, visited the governor for the purpose of interceding in behalf of the Christians, and remonstrating against his cruelty. Thus much of the legend is probably fabulous; but certain it is, that a virgin of that name was tortured under that persecution; and, though she survived, was venerated as a * martyr in that

* Martyrum nulli, remanente vitâ,
Contigit terris habitare nostris;
Sola tu morti propriæ superstes,
Vivis in orbe,
Vivis ac pœnæ seriem retexis,
Carnis et cæsæ spolium retentans,
Tetra quam sulcos habeant amaros,
Vulnera narras.

Prudentius Περὶ Στεφάνων. Hym. 4.

The poet goes on describing her torments with his usual love of live-anatomy.—I know not whether it be possible that any person should have survived them; but that some may be found wicked enough to inflict equal tortures under the pretext, and others conscientious enough to endure them for the sake of religion, has been too often proved, and in few places more frequently than in Zaragoza itself, from which city many an inquisitor has gone to keep company with Dacianus. St En-

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sity, before the close of the century in which she suffered. Just, however, as her claim is to pious remembance, her church, and the divine honours which have been paid to her, were procured by fraud. Angels are said to have descended at her death, and to have officiated at her funeral, bearing tapers and thuribules, and singing hymns of triumph. During the Moorish captivity, her relics disappeared; they were discovered towards the close of the 14th century, which was the great age for inventions of this kind. There stood at that time, upon the site of the convent of which the destruction is now to be recorded, an old church, dedicated to the Zaragozan martyrs, of this tenth persecution, and called the *Iglesia de las Masas*, in memory of an early specimen of Catholic ingenuity. Dacianus, holding relic-worship in as much contempt as the Christians did his idolatry, in order to prevent them from indulging in it, burnt the bodies of the martyrs, together with those of some malefactors, thinking that their ashes would be undistinguishable; nevertheless, the Christians found their own, which had collected together in white balls or masses, separate from the rest. In 1389, the regular canons, to whom the church belonged, resolved to rebuild a part of it; in digging the foundation, two marble chests were discovered. The lid of the smaller was fastened down very firmly with a sort of pitch; when this was taken off, two sets of human bones were found in different compartments; over the one were the words *Lupercii Martyrisi*, sculptured in the marble, over the other, *Engratiæ Virginis*: these latter were of rose colour, which was admitted as proof of their authenticity. The larger chest contained a great assortment of anonymous bones, ashes, and the white masses, which had disappeared for so many centuries. The mine was very rich; the workmen went on till they had invented thirteen chests, and at last, a whole pit full of relics, not the less efficacious because it could not be ascertained to whom they had belonged. Seventy years afterwards, Juan II. of Aragon, one of the wickedest and most perfidious of men, fancied or feigned, that, by St Engracia's intercession, he was cured of a complaint in his eyes; in consequence of which, he resolved to enlarge this church, and build a monastery adjoining it for the Jeronimites,—an order which, during that and the succeeding age, was in great favour at the three courts of the peninsula. He began his work, but died without completing it, leaving that charge by will to his son, Fernando, the Catholic king. He continued the building, but it was not finished till the reign of Charles the Fifth.

Both the church and convent were splendidly adorned, but the most remarkable part of the whole edifice was a subterranean church, formed in the place where the relics were

gracia is invoked in diseases of the heart and the liver, in consequence of the circumstances of her martyrdom.

Vidimus partem jecoris revulsam,
Ungulis longe jacuisse pressis;
Mors habet pallens aliquid tuorum,
Te quoque vivâ.

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discovered, and having the pit, or well, as it was called, in the middle. It was divided by a beautiful iron grating, which excluded laymen from the interior of the sanctuary. There were three descents; the widest flight of steps was that which was for public use, the two others were for the religioners, and met in one behind the three chief altars, within the grating. Over the midst of these altars were two tombs, placed one upon the other in a nich; the under one containing the relics of Engracia's companions and fellows in martyrdom, the upper, those of the saint herself, her head excepted, which was kept in a silver shrine, having a collar of precious stones, and enclosed in crystal. The others had their respective relics, and several altars, equally rich in their treasure, were ranged along the walls, without the grating. The roof was of an azure colour, studded with stars to represent the sky. The breadth of the vault considerably exceeded its length; it was sixty feet wide, and only forty long. Thirty little columns, of different marbles, supported the roof. On the stone brink of the well, the history of the Zaragozan martyrs was represented in bas-relief, and an iron grating, reaching to the roof, secured it from being profaned by idle curiosity, and from the pious larcenies which it might otherwise have tempted. Within this cage-work, a silver lamp was suspended. Thirty such lamps were burning there day and night; and, though the roof was little more than twelve feet high, it was never in the slightest degree sullied with smoke. The fact is certain; * but the useful and important secret, by which oil was made to burn without producing smoke, was carefully concealed; and the Jeronimites continued till this time to exhibit a miracle, which puzzled all who did not believe it to be miraculous.

On the 4th of August, the French opened batteries within pistol-shot of this church and convent;—in an instant, it was on fire; and this monument of fraud and of credulity,—the theatre where so many feelings of the deepest piety had been excited, which so many thousands had visited in faith, and from which, unquestionably, many had departed with their imaginations elevated, and their principles ennobled, was laid in ruins. The mud walls were levelled at the first discharge; the besiegers rushed through the opening, took the batteries before the adjacent gates in reverse, forced their way, after a severe contest and dreadful carnage, to the Coze, in the very

* The Bollandists relate this miracle with a candid admission of doubt, because the writer, in whom they found it related, spoke upon the testimony of others, instead of boldly asserting it on his own authority. There are, however, testimonies in abundance, and that of M. Bourgoing will be admitted to be decisive. "The roof," he says, "though very low, is certainly not smoked. They invite those who are doubtful of it, to put a piece of white paper over one of these lamps. I tried this experiment, and I must confess, I saw, or thought I saw, that my paper was not blackened. I had still my doubts, but I took care to conceal them from my bigotted conductors. I was, however, tempted to say to them—God has not thought proper to work any striking miracle to accelerate the end of the French revolution, or to calm the passions which it has roused; and, do you think that he would condescend to perform here a miracle as obscure as your cavern, and as useless as your own existence!"

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centre of the city, and, before the day closed, were in possession of one half of Zaragoza. Lefebvre now believed, that he had effected his purpose, and required Palafox to surrender, in a note containing only these words: "Head-quarters, St Engracia.* Capitulation." The heroic Spaniards immediately returned this reply: "Head-quarters, Zaragoza. War at the knife's point!" †

The contest, which was now carried on, is unexampled in history.—One side of the Cozo, a street about as wide as Pall-Mall, was possessed by the French; and, in the centre of it, their general, Verdier, gave his orders from the Franciscan convent. The opposite side was maintained by the Aragonese, who threw up batteries at the openings of the streets, within a few paces of those which the French erected against them.—The intervening space was presently heaped with dead, either slain upon the spot, or thrown out from the windows. Next day, the ammunition of the citizens began to fail,—the French were expected every moment to renew their efforts to compleat the conquest, and even this circumstance occasioned no dismay, nor did any one think of capitulation. One voice was heard from the people, wherever Palafox rode among them, that, if powder failed, they were ready to attack the enemy with their knives,—a formidable weapon in the hands of a desperate man. Just before the day closed, Don Francisco Palafox, the general's brother, entered the city with a convoy of arms, and ammunition, and a reinforcement of three thousand men, composed of Spanish guards, Swiss, and volunteers of Aragon,—a succour as little expected by the Zaragozans, as it had been provided against by the enemy.

Aug. 5.

The war was now continued from street to street, from house to house, and from room to room; pride and indignation having wrought up the French to a pitch of obstinate fury, little inferior to the devoted courage of the patriots. During the whole siege, no man distinguished himself more remarkably than the curate of one of the parishes, within the walls, by name P. Santiago Sass. He was always to be seen in the streets, sometimes fighting with the most determined bravery against the enemies, not of his country alone, but of freedom, and of all virtuous principles, wherever they were to be found. At other times, administering the sacrament to the dying, and confirming, with the authority of faith, that hope, which gives to death, under such circumstances, the joy, the exultation, the triumph, and the merit of martyrdom. Palafox reposed the utmost confidence in this brave priest, and selected him whenever any thing peculiarly difficult or hazardous was to be done. At the head of forty chosen men, he succeeded in introducing a supply of powder into the town, so essentially necessary for its defence.

This most obstinate and murderous contest was continued for eleven successive days and nights, more indeed by night than by day; for it was almost certain death to appear by day-light within reach of those houses which were occupied by the other party. But, under cover of

* *Quartel-general, Santa Engracia. La capitulation.*
† *Quartel-general, Zaragoza. Guerra al cuchillo.*

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the darkness, the combatants frequently dashed across the street to attack each other's batteries, and the battles which began there, were often carried on into the houses beyond, where they fought from room to room, and floor to floor. The hostile batteries were so near each other, that a Spaniard in one place made way under cover of the dead bodies, which completely filled the space between them, and fastened a rope to one of the French cannons; in the struggle which ensued, the rope broke, and the Zaragozans lost their prize at the very moment when they thought themselves sure of it.*

A new horror was added to the dreadful circumstances of war in this ever memorable siege. The dead are left upon the field of battle, and the survivors remove to clear ground and an untainted atmosphere; but here—under the climate of Spain, and in the month of August, there where the dead lay the struggle was still carried on, and pestilence was dreaded from the enormous accumulation of putrifying bodies. Nothing in the whole course of the siege so much embarrassed Palafox as this evil. The only remedy was to tie ropes to the French prisoners, and push them forward amid the dead and dying, to remove the bodies, and bring them away for interment. Even for this necessary office there was no truce, and it would have been certain death to the Aragoneze who should have attempted to perform it; but the prisoners were in general secured by the pity of their own soldiers, and in this manner the evil was, in some degree, diminished.

A council of war was held by the Spaniards on the 8th, not for the purpose which is too usual in such councils, but that their heroic resolution might be communicated with authority to the people. It was, that in those quarters of the city where the Aragonese still maintained their ground, they should continue to defend themselves with the same firmness: should the enemy at last prevail, they were then to retire over the Ebro into the suburbs, break down the bridge, and defend the suburbs till they perished. When this resolution was made public, it was received with the loudest acclamations. But in every conflict the citizens gained ground upon the soldiers, winning it inch by inch, till the space occupied by the enemy, which on the day of their entrance was nearly half the city, was gradually reduced to about an eighth part. Meantime, intelligence of the events in other parts of Spain was received by the French,—all tend-

* It is asserted by the French, in their official account, that, after many days fighting, they won possession of many cloisters which had been fortified, three-fourths of the city, the arsenal, and all the magazines; and that the peaceable inhabitants, encouraged by these advantages, hoisted a white flag, and came forward to offer terms of capitulation; but that they were murdered by the insurgents; for this is the name which these ruffians, and the tyrant whom they serve, apply to a people fighting in defence of their country, and of whatever could be dear to them. Unquestionably, if any traitors had thus ventured to shew themselves in the heat of the contest, they would have been put to death as certainly as they would have deserved it; and, if the thing had occurred, it would be one fact more to be recorded in honour of the Zaragozians; but there is no other authority for it than the French official account, in which account the result of the siege is totally suppressed. The circumstance, had it really taken place, would not have been omitted in Mr Vaughan's Narrative.

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ing to dishearten them; the surrender of Dupont, the failure of Moncey before Valencia, and the news that the junta of that province had dispatched six thousand men to join the levies in Aragon, which were destined to relieve Zaragoza. During the night of the 13th, their fire was particularly fierce and destructive; after their batteries had ceased, flames burst out in many parts of the buildings which they had won, and in the morning their columns, to the great surprise of the patriots, were seen at a distance, retreating over the plain, on the road to Pamplona.

The history of a battle, however skilfully narrated, is necessarily uninteresting to all except military men; in the detail of a siege, when time has destroyed those considerations, which prejudice and pervert our natural sense of right and wrong, every reader sympathizes with the besieged, and nothing, even in fictitious narratives, excites so deep and animating an interest. There is not, either in the annals of ancient or of modern times, a single event recorded more worthy to be held in admiration, now and for ever more, than the siege of Zaragoza. Will it be said that this devoted people obtained for themselves, by all this heroism and all these sacrifices, nothing more than a short respite from their fate? Woe be to the slavish heart that conceives the thought, and shame to the base tongue that gives it utterance! They have purchased for themselves an everlasting remembrance upon earth,—a place in the memory and love of all good men in all ages that are yet to come. They have done their duty, they have redeemed their souls from the yoke, they have left an example to their country, never to be forgotten, never to be out of mind, and sure to contribute to and hasten its salvation. "Remember Magdenburgh!" are the last words Gustavus addressed to his army before the battle of Leipsic. "Remember Zaragoza!"—are the last words which every Spaniard upon his death-bed should utter to his children, for his dying admonition, as long as a single Frenchman, or slave of France, breathes upon the peninsula. Zaragoza should be their word of battle, Zaragoza should be blazoned upon their banners. Nor will the name be less frequently remembered by that tyrant, upon whom the blood which has there been shed cries out for vengeance;—in that hour from which no fortune can preserve him, the hand-writing upon the wall will be Spain and Zaragoza! Legends and miracles are not now necessary to sanctify this venerable city; the lover of liberty will behold it with feelings not less awful than if he stood at Thermopylæ, upon the grave of Leonidas. Its shrines and its relics may take their place with the fables of elder idolatry; every house has had its innocents and its martyrs in a cause not less sacred than that of religion itself. Blessed and glorious be their memory for ever and ever!

One of the first cares of Palafox, after the delivery of the city, was, to establish a board of health to provide against the effects of putrifaction,—such was the number of French who were left dead in the houses and in the streets. Pamplona, whither the wreck of their army retreated, was for many days filled with carts full and horse-loads of wounded, who arrived faster and in greater number than they could be lodged

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in the hospitals and convents. It was equally shocking to humanity to behold their sufferings, and the cruel regardlessness of their comrades, who, while these wretches were fainting for want of assistance and of food, and literally dying in the streets, were exposing their booty to sale, and courting purchasers for church plate, watches, jewels, linen, and apparel, the plunder which they had collected in Navarre and Aragon; and which, in their eagerness to convert it into money, they were offering at a small part of their value. There were, however, scarcely any purchasers except for the church-plate, which was bought for the purpose of restoring it, at the same cost, to the churches and monasteries from whence it had been stolen.

The temper of the Zaragozans after their victory was not less heroic than their conduct during the struggle. It might have been expected that some degree of exhaustion would have succeeded the state of excitement to which they had been wrought; and that the widowed, the childless, and they who were left destitute, would now have lamented what they had lost, or, at least, that they themselves had not perished also. This, however, was not so. Mr Vaughan visited Zaragoza a little while after the siege, and remained there during several weeks; he saw (they are his own impressive words) "many a parent who had lost his children, and many a man reduced from competence to poverty, but he literally did not meet with one human being who uttered the slightest complaint: every feeling seemed to be swallowed up in the memory of what they had recently done, and in a just hatred of the French." These are the effects of patriotism, aided and strengthened by religion: its influence, thus elevated and confirmed, made women and boys efficient champions in the time of action, and the streets of a city not less formidable to an invader, than the best constructed works* of defence. Let not the faith which animated the Aragonese be called superstition, because our Lady of the

* "Zaragoza," says Mr Wordsworth, in a work which has never been surpassed in eloquence, and to the philosophy of which, nothing comparable has been produced since the days of Milton, "Zaragoza has exemplified a melancholy, yea a dismal truth, yet consolatory and full of joy; that, when a people are called suddenly to fight for their liberty, and are sorely pressed upon, their best field of battle is the floors upon which their children have played; the chambers where the family of each man has slept (his own or his neighbours,) upon, or under the roofs by which they have been sheltered, in the gardens of their recreation; in the street, or in the market-place; before the altars of their temples, and among their congregated dwellings, blazing or uprooted. The government of Spain must never forget Zaragoza for a moment. Nothing is wanting to produce the same effects every where, but a leading mind, such as that city was blessed with. In the latter contest this has been proved; for Zaragoza contained at that time bodies of men from almost all parts of Spain. The narrative of those two sieges should be the manual of every Spaniard; he may add to it the ancient stories of Numantia and Saguntum; let him sleep upon the book as a pillow; and, if he be a devout adherent to the religion of his country, let him wear it in his bosom for his crucifix to rest upon."—*Concerning the Relations of Great Britain, Spain, and Portugal, to each other, and to the common Enemy*, p. 181.

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Pillar, Santiago and St Engracia were its symbols. It was virtually and essentially religion in its inward life and spirit; it was the sense of what they owed equally to their forefathers and their children; the knowledge that their cause was as righteous as any for which an injured and insulted people ever rose in arms; the hope that by the blessing of God upon that cause they might succeed; the certain faith that if they fell, it was with the feeling, the motive, and the merit of martyrdom. Life or death therefore became to the Zaragozans only not indifferent, because life was useful to the cause for which they held it in trust, and were ready to lay it down: they who fell expired in triumph, and the survivors rather envied than regretted them. The living had no fears for themselves, and for the same reason they could have no sorrows for the dead. The whole greatness of our nature was called forth,—a power which had lain dormant, and of which the possessors themselves had not suspected the existence, till it manifested itself in the hour of trial.

When the dead were removed, and the ruins sufficiently cleared, Ferdinand was proclaimed with all the usual solemnities; a ceremony, at other times attended with no other feeling than such as sports and festivity occasion, now made affecting by the situation of Ferdinand himself, and the scene which surrounded the spectators; walls blackened with fire, shattered with artillery, and stained with blood. The obsequies of the Spaniards who had fallen were next performed with military honours, and their funeral oration pronounced from the pulpit. The brave priest Santiago Sass was made chaplain to the commander in chief, and Palafox gave him a captain's commission. These were times when the religion of Mattathias and the Maccabees was required; and the priest of the altar was in the exercise of his duty, when defending it, sword in hand, in the field. A pension was settled upon Augustina, and the daily pay of an artilleryman. She was also to wear a small shield of honour embroidered upon the sleeve of her gown, with Zaragoza inscribed upon it. Other persons, who had distinguished themselves, were rewarded; and the general reward which Palafox conferred upon the Zaragozan people, is strongly characteristic of the high Spanish sense of honour. By his own authority, and in the name of Ferdinand, he conferred upon all the inhabitants of the city and its districts, of both sexes and of all ranks, the perpetual and irrevocable privilege, never to be adjudged to any disgraceful punishment by any tribunal for any offence, except for treason or blasphemy.

Aug. 20.

Aug. 25.

Sept. 20.

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CHAP. XVII.

Attack upon Valencia, and defeat of the French. Victory of the French at Rio Seco—their cruelties after the battle. Correspondence between General Blake and Marshal Bessieres. St Andero taken by the French, and recovered. Proceedings at Bayonne. New constitution for Spain framed by the Intruder, in which, under the pretext of providing for the freedom of the Press and of the Subject, both are placed at the mercy of the Government. The Intruder enters Spain, and reaches Madrid, from which city he retreats in ten days. Spanish troops in Denmark. A large part of them under the Marquis de la Romana, brought off by Admiral Keates. Base proclamation of the Court of Denmark.

At the time when Zaragoza was first attacked by Lefebvre, Marshal Moncey, with an army of about 12,000 men, besides cavalry, arrived at Cuenca, from whence he equally threatened Murcia and Valencia. It soon appeared that the latter was his object; and the attempts made by the patriots to oppose his march, were, as was to be expected, unavailing against veteran troops, provided with horse and artillery in abundance, and conducted by experienced officers, in whom they had the best founded and fullest confidence. It was of great importance to Moncey to obtain possession of Valencia; the most fertile and delightful province in Spain would then be at his mercy, and a communication secured with the French in Catalonia. This city, to a mere soldier, would appear as defenceless as Zaragoza; suburbs nearly as large as the town itself have grown up round the whole circle of its brick walls, and its citadel is small, badly fortified, and altogether useless. As soon as intelligence was received that the French were advancing, the junta issued orders that all the inhabitants, without exception, should repair to the citadel, and there provide themselves with arms. The quantity of muskets was found insufficient for the number who applied, and all the English swords, of which there was a large stock in the arsenal, were delivered out, though many were without hilts. Several 12 and 16-pounders, and one 20 pounder, were planted at the gate of Quarte, where the enemy were expected to make their principal attack; the other gates were fortified, though less formidably. A great quantity of timber, which had just been floated down the river, was used to form a breast-work for the protection of the artillery posted without the city, and to block up the entrance of the streets within the

June 25.

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walls. The next day was employed in filling the ditches with water, and cutting trenches across the road, to impede the enemy's approach.

On the evening of the 27th, Moncey was within a league of the city; and the Valencian general, Caro, made a last ineffectual attempt against him in the field. At eleven on the following morning, the advanced guard of the city came in with intelligence that the French were close at hand; and, shortly afterwards, a flag of truce arrived with the usual message, that if the French were permitted peaceably to enter, persons and property would be respected; but otherwise, they would force their way with fire and sword. A fit answer was returned, declaring the resolution of the inhabitants to defend themselves to the last. Moncey immediately attacked the town; and, as had been anticipated, directed his march towards the gate of Quarte, expecting to force his way with little difficulty. The approach was along a broad street, leading streight for the gate; the patriots perceiving the advantage which was thus given them, threw open the gate, brought up a four and twenty pounder, in addition to the guns which had already been planted there, and began a fire as effectual as could have been wished. The streets were presently heaped with dead; while the Valencians, protected by their walls against this mode of attack, scarcely lost a dozen men. After suffering great carnage, the French drew off. They cannonded the city from one till eight in the evening; it was conjectured that their ammunition began then to fail, and they made an attempt to force the gate of St Vincente, but there also they were repulsed. That night they withdrew to their head-quarters, between the villages of Mislata and Quarte, about three miles from the city. But the repulse had been decisive; and the French hastily retreated out of the province, leaving part of their artillery, and suffering, from the peasantry and the parties who harrassed their retreat, that vengeance which the excesses they committed on the march amply deserved.

In the North of Spain the fortune of the war was more various. Marshal Bessieres, with a strong force, had the charge of keeping open the principal road between Bayonne and Madrid. It was of great importance to the patriots that this communication should be cut off, and a force of 14,000 infantry, consisting partly of peasantry, partly of new-raised levies, and of such regular troops as could be collected, attempted to effect this great object. Don Gregorio de la Cuesta, a general about 70 years of age, had the command of that part of the force which belonged to Castille and Leon, having been nominated captain-general of those provinces by Ferdinand during his short reign. The Gallician army was commanded by Don Joachin Blake, a younger officer, of Irish parentage. The juntas of the respective provinces, being independent of each other, there seems to have been a want of good understanding between the two generals. Blake was as much superior to Cuesta in abilities as he was below him in rank, and unwillingly yielded the precedence; because it required the sacrifice of his own judgement, to the probable injury of the common cause. Contrary to his judgement, a battle was risked, near Medina del Rio Seco, against a detachment of the French army under General

July 14.

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Lasolles, consisting of 10,000 foot and 2,000 horse, and well provided with artillery. The peasantry and the new levies attacked the enemy's infantry with such ardour, that they forced them to retreat, won four of their cannon, and spiked them. They had even set up their shouts of victory, when the French cavalry charged their left wing, and, by their great superiority, decided the day. Blake covered the retreat of the Spaniards with great skill, and the French were not able to pursue, so severely had they suffered. They revenged themselves with their usual ferocity when they entered Medina del Rio Seco some hours afterwards; where, having first satiated themselves with massacre, and then with plunder, they committed atrocities upon the women, scarcely equalled in the worst ages of military barbarity:—the nuns were violated and then murdered. Six hundred persons were massacred in the streets and houses.—A Spanish officer, who had received three wounds, was brought before one of the French generals, who ordered a dragoon to cut him down; he put up his hands to save himself, and they were nearly severed with a sabre stroke. Upon this he fell,—but as the dragoon was going, the general called him back, and bade him shoot the blackguard, for he was not yet dead. The officer knelt to receive his death,—the ball passed between his arm and body, he had presence of mind enough to fall; and crawling away in the night, was brought to the Galician army to tell his tale. When the French soldiers had pillaged every thing they could find, they carried off infants, and made their parents redeem them!

Blake had discovered such talents in this action, that Bessieres thought it of importance to win him over, if possible, to the intruder's party. He, therefore, wrote to him, under the pretext of assuring him that the Spanish prisoners should be well treated, and took that occasion to try his patriotism, by urging him to obey the act of abdication, and acknowledge Joseph Buonaparte. The Spanish general made answer, that he acknowledged no other sovereign than Ferdinand of Bourbon, or his legitimate heirs; and, if it happened that that unfortunate family should be altogether extinguished, his allegiance would then be due to the people of Spain, lawfully represented in a general cortes. These, he said, were the sentiments of the whole army and of the whole nation; and he warned Bessieres against the error of mistaking the forced submission of those towns which were occupied by French troops, for a real change of opinion in the inhabitants. "Undeceive, therefore," said he, "your emperor; and, if it be true that he has a philanthropic mind, he will renounce the project of subduing Spain. Whatever partial successes he may obtain, it is evident that his brother never can reign in this country; unless he reign over a desert, covered with the blood of the Spaniards, and of the troops employed on this unjust enterprize."

July 24.

This answer did not satisfy the Frenchman, who, in a second letter, told Blake, it was his duty to avoid the effusion of blood; for while France, and the greatest part of Europe, continued in their present state, it was impossible that the Bourbons could reign. He accompanied this reasoning by proposing a conference with him upon the

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subject,—a proposal which, Blake replied, it was not fitting that he should address to a man of honour. Bessieres had set at liberty four or five hundred prisoners, under the title of peasants; this title the Spanish general disclaimed for them, maintaining that they were regular soldiers, incorporated with the troops of the line, though not wearing the uniform. In explaining this, he said, "his intention was not to release himself from acknowledging the generous conduct of the Marshal towards them,—but to prevent the possibility of their receiving, upon any occasion, in consequence of any misconception, a treatment which they did not deserve; and which, he was sure, from the sentiments which his excellency had manifested, could not but be painful to his own feelings." Blake mistook the character of the French generals,—they affected humanity only when they feared reprisals; and his answer was not what it ought to have been, for he allowed a distinction between the citizen and the soldier, instead of proclaiming, that, in the circumstances of Spain, every man became and was to be accounted a soldier, in virtue of the cause which called upon him to take arms. In consequence of Blake's conduct at the battle of Rio Seco, he was appointed governor and captain-general of the kingdom of Galicia, and president of the royal audience.

The possession of the ports in the Bay of Biscay was of great importance to the patriots; because, while they were open, supplies could at all times be received from England; but they lay near France, and were strong only towards the sea, being mostly so situated as to be commanded from the heights. The detached parties of the French, in the vicinity of these ports, having been cut off or driven out by the Spaniards, a considerable force was sent from Bayonne against St Andero. The pass which *June 22.* protects the approach to the town was ill defended; two English frigates, which were off the coast, entered the harbour in time to dismantle two of the forts, spike their guns, and destroy their ammunition. The enemy did not remain long in possession of the place. General Llano Ponte, with 10,000 men from the Asturian army, advanced upon them; and when he had reached San- *July 12.* tillana, they thought it prudent to retire, having committed their usual outrages upon the inhabitants.

While the people of Spain were thus gloriously contending for the independence of their native land, scenes of a very different nature were represented at Bayonne. As soon as Joseph Buona- *June 7.* parte entered that city, a deputation of the grandees of Spain, with the Duke del Infantado at their head, waited upon him, and expressed their lively joy at presenting themselves before his royal person. His presence, they said, was necessary to the re-establishment of their country. The grandees had at all times distinguished themselves by their fidelity towards their sovereigns, and that fidelity he would now experience from them. He answered by assuring them of his especial protection, and declared, that it was his intention to rule only by virtue of the laws. Deputations from the different councils, and from the army, were ready also with their homage and their flattery. The serene bro-

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ther of the great Napoleon, they told him, deserved to be his choice on this important occasion; for he united in his serene person the sublime qualities by which thrones are supported and strengthened. "Your majesty," said these slaves and sycophants, "constitutes a part of the family destined by Providence to govern. The fame of your deeds has stretched itself over the Pyrenees and spread itself over all Spain." One thing which passed at this audience is especially worthy of notice; the intruder said to the deputies of the inquisition, that other countries allowed of different forms of religion; but he considered it as the felicity of Spain that she had but one, and that the true one. These words alone sufficiently confute the admirers of Buonaparte, who reconcile themselves, and would fain reconcile the people of England, to the most atrocious usurpation recorded in history; because they pretend, that a more enlightened and tolerant system would be introduced in Spain by him than could be hoped for from the Spaniards themselves. Joseph repeated, in his first proclamation, that the maintenance of the holy catholick religion in the state in which he found it, should be his first duty. "Doubtless," he said, "Providence had given its sanction to his intentions, as it had opened to him so wide a career; and it would also furnish him with the necessary strength to establish the happiness of a noble people whom it had committed to his care."

June 10.

Among the persons who did homage to the intruder, and were received into his favour and his service, were the Duke del Infantado, Cevallos, and the other friends of Ferdinand. Those who were acquainted with the character of the former nobleman, asserted, in reply to the indignant censures which his conduct at this time provoked, that he was yielding to necessity, and would declare himself for the patriots as soon as he could possibly effect his escape. This expectation was verified; nor should the constrained submission of those persons who have since given such unquestionable proofs of their patriotism, be judged of too severely. Decoyed as they had been into the usurper's power, they might, without feeling themselves dishonoured, make use of artifice to escape. Had they openly avowed their resolution never to acknowledge or submit to this usurpation, their own immediate ruin would have been inevitable; and, under such circumstances, it was easy to persuade themselves, that the most effectual way of serving their country, was by temporising, and saving themselves for her sake. But, while they were acting this part, the whole weight of their sanction was given to the intruder; and the Spanish nation is the more to be admired for its generous insurrection, because these men, to whom it had been accustomed to look up as the most enlightened and patriotic of its chiefs,—as those from whom alone any amelioration of existing abuses was to be hoped for, had apparently sold themselves to Joseph Buonaparte.

A National Assembly, as it was called, had been convened at Bayonne, to do homage to the intruder, and receive from him a new constitution for Spain. It was intended that this assembly should consist of about 150 members of different classes. Not more than ninety obeyed the summons; some of them brought

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powers from the cities, tribunals, or public bodies which they represented,—such, however, as neither were, nor possibly could be, sufficient for the purpose of the meeting. Most of them had no other instructions than merely an order to take their departure; and many of them did not belong to any public body or acknowledged class of the community. They held their first meeting under the presidency of Don Miguel Joseph de Azanza, Don Luiz Mariano de Urquijo, counsellors of state, and Don Antonio Romanillos, the intruder's secretary. An order of the council of Castille was read, communicating to them the decree, whereby the Corsican had appointed his brother king of Spain and the Indies, and requiring them to put that decree, with the subsequent resolutions of the council, into circulation immediately, and see that it was effected. When these documents had been read, Azanza addressed the assembly, congratulating them that they were united in that venerable meeting, for the pleasing and honourable task of contributing to the happiness of their country, and labouring for the welfare of the present race and of posterity. Let each of us, said he, as far as himself is concerned, sacrifice the benefits which he exclusively enjoys, and of which many are imaginary. Let us offer them upon the altar of our country, in order to raise a simple and great monument, in place of the gothic and tottering structure of our former government. He then called upon them each to exert all his individual efforts to appease the ferment and disorder, as he styled it, which disquieted various towns of the kingdom, and from which nothing could result but the ruin and the desolation of the country. Selfish men, he said, were seducing the people to these destructive measures; but, if the assembly did not lose sight of the enlightened principles upon which they were convened, there could be no doubt that Spain would enjoy her former splendour.

An address was accordingly voted to the intruder, and delivered by Azanza. It was in the basest strain of adulation: the assembly expressed their deep affliction at the divisions and momentary disturbances which were agitating some of the provinces, and which had been occasioned by the errors of the people: they were doing all that depended upon them to restore peace and good order; "for," said they, "that which is of the highest moment is, that no hindrance should arise in the way of the beneficent projects of the incomparable hero who will imprint his immortal name on the grateful hearts of our latest posterity." In these projects they were to concur: they were to support his majesty with the integrity, the fidelity, the self-devotion, which were duties the most precious to their hearts, since he had announced the glorious resolution to govern only for the happiness of the Spaniards! "A resolution worthy the monarch, whose fame was spread over the universe, as a model of gentleness and virtue—who constituted the delight of the people whom he governed, and whom he left in tears, because he went to bear away his virtues into another land." What a contrast between the emptiness and vileness of this language, and the manifestos of the patriots! The intruder made answer, that he shared in the sentiments and in the hopes of that assembly. The

June 18.

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clearly-announced will of his illustrious brother in favour of the prosperity of Spain was sufficiently guaranteed by his glory. The co-operation of their zeal and their resources would easily subdue the obstacles which private interest might lay in the way of the whole nation; being founded in error, they would be expelled by truth. As to himself, he wished not to know those errors. Then, imitating his brother in hypocrisy and blasphemy, he thus pursued: "In leaving a people who rendered justice to our government, we have made the severest of all sacrifices, but the love of that people is a prognostic of that of the Spaniards; shall we do less for the great nation whom Providence has entrusted to our care, or will they be less just towards me? We know the full import of Castilian faith; we shall visit our provinces; we shall bring the heart of a father; we shall meet with none but the hearts of children." Towards the close of his speech, he dropt the hypocrite's mask, declaring, that, as it was his duty to repress dissentions, he should, on no account, spare the malevolent who were the accessories or instruments of his enemies. He concluded, by bidding the assembly continue their labours for the welfare of their country; and be assured of the blessings of the people, and of his perfect satisfaction.

At the third sitting, the constitutional statute for Spain was presented by order of Napoleon Buonaparte, who is ambitious of the fame of a legislator, as well as of a conqueror. It was printed, a copy given to each member of the assembly, and three days afterwards every one had the liberty of giving in his sentiments in writing, without, however, precluding oral discussion. The first article of this new constitution declared, that the Catholic, Apostolic, and Romish religion, was the predominant and sole religion of Spain and its dominions, and that none other should be tolerated. Buonaparte has still, to the disgrace of this country, his admirers in England; there are still men who believe his protestations of philanthropy and philosophy, in spite of all his actions and the whole tenor of his government. If the obstinate credulity of these persons were not proof against conviction, this first article of the constitution, designed for Spain, might convince them, that religion has as little to hope for as liberty from his hands. Throughout the whole of this constitution, the provisions, which are ostentatiously enacted in favour of the forms of freedom, are accompanied with such restrictions as render them nugatory—mere words without effect. A cortes, consisting of 150 members, divided into three estates, the clergy, nobility, and people, were to meet once at least in three years; but their sittings were not to be public, their votes were to be taken by ballot, neither their opinions nor their votes to be printed or published: and any act of publication, in print or in writing, by the assembly of the cortes, or any individual member thereof, was to be regarded as an act of insurrection. A cortes, under such restrictions, was obviously intended for no other purpose, than to sanction with its name the will and pleasure of a despot.

June 20.

The Spanish colonies, it was decreed, should enjoy the same privileges as the mother country, and each kingdom and province should

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always have deputies at the seat of government, to watch over their particular interests, and serve as their representatives in the cortes. These deputies were to be twenty in number; two from Mexico, one from the interior Western Provinces of New Spain, one from the Eastern Provinces, one from Guatimala, one from Guadalaxara, one from Venezuela, two from the Nuevo Reyno de Granada, one from Quito, two from Peru, one from Chili, one from Charcas, two from Buenos Ayres, one from Cuba, one from Porto Rico, and two from the Philippine Islands. They were to exercise their functions for eight years, and, after the expiration of that time, continue them till their successors arrived.—It is mere mockery to call this a colonial representation!

A commission of five members, chosen by the senate out of its own body, was to be charged with superintending the freedom of the press. This senate, to whose superintendance the freedom of the press was entrusted, was to be composed of the infantes, being eighteen years of age, and of twenty-four individuals specially appointed by the king from among the ministers, captain-generals, ambassadors, counsellors of state, and members of the council of Castille. The commission was to be called the senatorial commission of the freedom of the press.—Authors, printers, or booksellers, who conceived themselves aggrieved by the prohibition of printing any work, might apply to the commission for redress; and in all cases where they were of opinion that the prohibition was not justified by reasons of state, the minister who issued the same should be obliged to revoke it; if, however, after three applications within the space of a month, he suffered it still to remain in force, the commission was then to demand a meeting of the senate, which was to assemble in consequence, and, if it saw cause, come to this resolution: "There are strong grounds of suspicion that the freedom of the press has been violated;" and this resolution was to be laid before the king. These regulations afforded some protection against the stupid bigotry of the Inquisition, and such works as Fray Gerundio would not be proscribed, while there was such a commission to appeal to: still the freedom of the press would have been only nominal,—French philosophism might have crept in, French morality might have been encouraged, but nothing which distinguishes a free press, and which constitutes its value, could have past the double ordeal; and it is worthy of remark, that the power of appeal to the commission was not extended to periodical works.

The provisions in favour of the liberty of the subject bore about the same relation to our Habeas Corpus, as this superintended freedom of the press to its actual state in England. A senatorial commission of personal freedom, consisting of five members, was to be chosen by the senate from its own body; and to this commission all persons in custody, and not brought to trial within a month from the day of their commitment, might apply, either themselves, by their relations and attornies, or by petition; should the commission determine that the imprisonment, which had exceeded one month, was in no respect justified by the interests of the state, the minister who ordered the same should be obliged to set the prisoner at liberty, or deliver him over forthwith to a competent tribunal. If, after three applications in the course of one month, the prisoner should

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not have been discharged, nor sent before the ordinary tribunals, the commission was then to demand a meeting of the senate; that body, if it saw cause, was to come to this resolution: "There are strong grounds of suspicion, that N. N. is detained in a state of arbitrary imprisonment;" and the president was to lay this resolution before the king. Thus, then, it appears that this Napoleon Habeas Corpus decrees, at the same time, a perpetual suspension for interests of state; and that, even where it is to take effect in favour of the subject, it is not by virtue of the laws, but by a reference to the will and pleasure of the sovereign.

July 7. The ceremony of accepting this constitution was next to be performed. The intruder took his seat on a throne, prepared for the occasion, and addressed the assembly. Their sentiments, he told them, had been those of the age of Napoleon, his illustrious brother, in pursuance of whose will, and in consequence of one of the extraordinary events to which all nations in their turn, and at particular conjunctures, are subject, they were there convened. The constitution which they were about to accept was the result of those sentiments,—it was a blessing which the neighbouring nations had not obtained without an expence of blood and calamity. Were all the Spaniards assembled with them, they also, as having the same interests, would all be animated with the same sentiments; then should they not have to bewail the misfortunes of those misguided persons who must now be subdued by force of arms. "We carry with us," said he, "the act which ascertains the rights and reciprocal duties of the king and his people. If you are disposed to make the same sacrifices with us, then shall Spain be speedily happy at home and powerful abroad. To this we solemnly pledge ourselves in the presence of God, who reads the hearts of men, and rules them according to his good pleasure, and who never forsakes those who love their country, and fear nothing but their own conscience." Such was the language in which this deputy-tyrant, this receiver of a stolen crown, addressed an assembly, of which all those members who had not betrayed their country, and sold themselves to everlasting infamy, were acting under compulsion. These wretched members then took the oath individually in these words: "I swear obedience and fidelity to the king, the constitution, and the laws." When this was completed, the intruder appointed his ministry. Urquijo was made secretary of state, Cevallos, minister for foreign affairs, Azanza, minister for the Indies, Massaredo, minister of the marine, O'Farral, minister of war, Jovellanos, minister of the interior, Cabarrus, minister of finance, and Pinuela, minister of justice.

A few days before this solemn mockery was performed, the intruder abdicated the crown of Naples. "Providence," said the proclamation which he addressed to the Neapolitans, "Providence, whose designs are inscrutable, having called us to the throne of Spain and the Indies, we have found ourselves in the cruel predicament of withdrawing ourselves from a people who had so many claims to our attachment, and whose happiness was our most gratifying hope, and the only object of our ambition." And, with that impious hypocrisy which stamps the usur- *June* 28.

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pations of this family with a new and peculiar guilt, he appealed to the Searcher of all hearts, to witness how reluctantly he left them, for the purpose of accepting another kingdom. But, reflecting that their social constitution was still imperfect, and that the farther he removed from them, the more incumbent upon him it was to secure their present and future welfare, he had put the last hand to his labours, and fixed the constitutional statute upon principles already partially adopted, conformable to the age, the mutual relations of the neighbouring states, and the disposition of the nation. He then presented them with a constitution of the last French fashion, which Napoleon approved and guaranteed. Some weeks elapsed, before the people of Naples were informed of the name of the prince, to whom (such was their servile language) the emperor had committed the charge of rendering them happy. Murat *July* 20. at length, who was now recalled from the scene of his proscriptions to Bayonne, announced to them that their crown had been ceded to him by his brother-in-law, conformably to the designs of Divine Providence; that he had assumed the title of Joachin Napoleon, by the grace of God and the constitution of the State, King of the two Sicilies, and Grand Admiral of the Empire, and that he should appear in the midst of them with the Queen Caroline his august spouse, and the Prince Royal Achilles Napoleon. Such, however, was this upstart's fear of his new subjects, that one of the first measures of his reign was to revive a law prohibiting the manufacture of arms without permission from government, and to pass a decree compelling gunmakers to register the name of every man who bought a musket, and forbidding any person to carry arms without an especial license.

The intruder entered Spain two days after he *July* 9. had received homage from the Junta of Bayonne. When he reached Bergama, a deputation sent from St Andero, while the French were in possession of that place, appeared to solicit his forgiveness, and ratify the *July* 11. submission of their townsmen, a few hours only before those townsmen recovered their liberty. Deputations also from Guipuscoa and Alava were ready with their compulsory homage. At Vittoria he was proclaimed; all the troops were under arms when he entered that city, and the inhabitants were compelled to receive him with the forms of rejoicing. And here he, and the renegade Jacobine his minister Urquijo, sent forth a proclamation promising the restoration of the cortes in an improved form, and all the blessings of a free and enlightened government. On the evening of the 20th he reached Madrid, all the troops being under arms, a necessary part of the parade. Every possible means had been used to prepare the metropolis for his reception, and keep down the spirit of the people by fraud and force. The publication of news from the provinces was prevented by the severest measures; and, if any of the patriots' manifestos found their way to Madrid, to print, copy, read, or listen to them, was declared and punished as high treason. A proclamation was forged in the Bishop of St Andero's name, recommending the people to receive with gratitude the king and the army who were come to regenerate them. Re-

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volution, they were told, was one of those indispensible remedies which must be employed when abuses had proceeded to a length which could not be restricted by the ordinary resources of public law. It was a species of war declared by the people against their own government to remove the established authority, when, either from ignorance or disinclination, it was not exercised for the general advantage. Happily for Spain, it was spared the necessity of passing through the calamities which other countries had experienced in this inevitable process, and had only to receive a new government under the authority of the protector of the nations of Europe. In spite of these false representations, the more likely to be pernicious for the truth which they contained, in spite also of all the measures taken to keep the inhabitants in ignorance of what was passing in the provinces, the agitation of the public continued, and a new edict was issued, enacting, that all strangers arriving in the metropolis, should, within four-and-twenty hours, send in their names to the police, with an account of their occupations, the places from whence they came, and their motives for visiting Madrid.

The proclamation of the intruder took place on Santiagos-day; the grand standard-bearer and his son effected their escape from the capital, and thus avoided the degradation of appearing in the intruder's procession. Nothing indeed could be more striking than the contrast between this day and that on which Ferdinand made his entrance as king; then the street swarmed with the population of the whole surrounding country; then all the zeal and authority of the magistrates were necessary to repress the popular enthusiasm: now, what few demonstrations of joy were made was procured by authority, the officers going from door to door to call upon the inhabitants. The houses were just sufficiently decorated to preserve them from the military commission to which they would otherwise have been exposed. The money which was scattered among the populace, lay in the streets where it fell, for the French themselves to gather up; and the theatres, which were thrown open to the people, were left to be filled by Frenchmen.

Joseph Buonaparte seems to have halted at Vittoria till he received intelligence of Bessieres' victory at Rio Seco, and to have advanced to Madrid in full confidence that the French would be equally victorious in all parts of the peninsula. The first news which reached him after his arrival was of the defeat and surrender of Dupont. St Andero had been recovered by the patriots, Moncey had been put to flight before Valencia, Lefebvre, after sustaining a repulse, was in vain attempting to subdue Zaragoza;—meantime two victorious armies, one from Valencia, and one from Andalusia, were advancing towards Madrid. Bessieres, instead of being able, as he had hoped, to march to the assistance of Junot in Portugal, was fain to fall back himself, and provide for his own safety; and Blake, whom the defeat at Rio Seco seemed only to have rendered more formidable by displaying his talents, and obtaining for him that reputation which he merited, was ready with the Galician army to co-operate for the deliverance of the capital, and might not improbably cut off the retreat of the usurper, unless it were speedily effected.

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The French force at Madrid would perhaps have been sufficient to have defeated all these hasty levies, had the contest been with these only; but the inhabitants of the metropolis were ready to rise upon them at the first favourable occasion, and take vengeance for their murdered brethren. The intruder, therefore, had not been ten days in that city, before he found it necessary to think of retreating from it. On the 27th of July the French began to prepare for their removal, and on the last day of the month they had completely evacuated it, after having destroyed all the artillery and ammunition which they could not take away, plundering the palaces and the treasury, and carrying off the regalia and the crown jewels.

Spain had no sooner risen in arms against the Buonapartes, than the attention of the British government was directed to the Spanish troops, who, having been marched on false pretences into the northern parts of Germany, were now stationed in the Danish Islands. There the tyrant thought he had secured them, the court of Denmark being disposed to act with the most slavish subserviency to his will, partly from its attachment to France, partly from its deeply-rooted feeling of resentment against this country. The French journals had told us that these troops had taken the oath of allegiance to the intruder with universal enthusiasm. No man who knew the Spanish character,—no man, indeed, who knew any thing of human nature, believed this falsehood; on the contrary, when this oath was proposed, far as they were from Spain, with no probability, scarcely with the hope, of returning to it,—ignorant of the spirit which had manifested itself there, and surrounded by French and Danish troops, who were equally hostile to the cause of the patriots, they planted their colours, formed a circle round them, and there swore on their knees to be faithful to their country. The difficult task of opening a communication with their commander, the Marquis de la Romana, and endeavouring to bring off their troops, was entrusted to Rear-Admiral Keats, one of the ablest and most distinguished officers in the British service.

The main body of these troops were with the commander in chief upon the island of Funen; some were in Jutland, some in Zealand, a smaller body in Langland. It was proposed by the British admiral, that those in Funen should secure themselves in a peninsula on the north side of the island, from whence, if necessary, they might be removed to the small island of Romsoe. The Danish gun-boats would be rendered inactive if the Spanish general had it in his power, and should think it proper to seize on the town and port of Nyborg; but this measure Admiral Keats thought might endanger the safety of the troops in Zealand and Jutland, by inducing the Danes to act hostilely, when they otherwise might be disposed to wink at, or make no serious efforts to impede, the quiet removal of the Spaniards. There was little hope that any negociation for their peaceable departure would be successful;—but, immediately after the movement should have commenced, a declaration of the peaceable and unoffending object in view, might thus, he thought, be advantageous. The troops in Zealand, it was proposed, should attempt to force their way to the peninsula near

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Corsoir, where it seemed likely that they might be able to defend the isthmus till they could be removed to the neighbouring island of Sproe. Those at Frederisca, in Jutland, were to seize vessels, and endeavour to unite with their countrymen in Funen; but, if the troops in Langland were strong enough to feel themselves in safety, it would be better to land all the others there, from whence they could be transported at leisure.

It was scarcely possible that these various movements could be concerted without exciting suspicion, prepared as the French officers and the Danish government were to expect some such attempt, and after the manner in which the Spaniards had expressed their abhorrence of the usurpation of their country. A premature execution of the plan became necessary, and Romana, accordingly, took possession of Nyborg. Admiral Keats had hoisted his flag the preceding day in the Superb off that town; and as soon as the Spaniards entered it, he dispatched a letter to the governor, informing him, that, notwithstanding the state of war between England and Denmark, it was his wish to abstain from every hostile and offensive act, provided no opposition was made to the embarkation of the Spanish troops, that unoffending object being all that was intended. While this was going on, he must necessarily cooperate with those troops, and, consequently, often communicate with the town of Nyborg; but the strictest orders had been given to all under his command to observe the utmost civility towards the inhabitants. If, however, the Spaniards were opposed, he must, however reluctantly, take measures which might occasion the destruction of the town.

Aug. 9.

The Danish garrison had yielded to circumstances; but an armed brig and a cutter, which were moored across the harbour, near the town, rejected all the pacific offers both of the Spanish general and the English admiral, and even all the remonstrances of their own countrymen;—such small vessels and boats as could be collected were sent against them, and they were taken. It had been the special care of Romana, that no act of hostility should be committed by his men, except such as were absolutely necessary to secure their embarkation. Some of them, however, irritated at the foolish obstinacy with which their friends and deliverers were opposed, fired a few shot at the Danish ships before they struck. Admiral Keats now addressed a second letter to the governor, telling him, that, as his entrance into the harbour had been opposed, it was evident that he was bound by no absolute law or usage to respect the property of the inhabitants. The Spanish general had occasion for some of the small craft in the port; unless the masters and crews would assist them in equipping and navigating them, it might not be in his power to secure them from injury; if they would, he pledged himself, after the short service for which they were required should be ended, not only to secure them from injury, by every means in his power, but also to grant them passports to return in safety.

Accordingly great part of the artillery, baggage, and stores, were embarked on board such vessels as were in the ports; the troops, amounting to 6000, were taken on board, and landed upon Langland:

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and a convention being made between Romana and the governor of that island, in which the latter agreed to supply the Spaniards with provisions, they, on their part, abstaining from hostilities. Above a thousand troops from Jutland effected their escape in the manner proposed, and joined their countrymen while at sea. Another thousand had got to Langland. One regiment in Jutland was too distant, and too unfavourably situated, to effect its escape; and two in Zealand, after having fired on the French general who commanded them, and having killed one of his aid-de-camps, were overpowered and disarmed. Nothing could exceed the joy of those who effected their escape,—the regiment of Zamora made a march of * eighteen Danish miles in twenty-one hours. This regiment, which made this surprising exertion, for the sake of returning to their own country, to maintain its independence, was one of those which the French papers described as discovering the greatest attachment to the intruder!

The court of Denmark issued a proclamation upon this occasion, expressing its astonishment at what it called the treachery of the Spaniards, and charging them with having violated the most sacred duties! That court was thus the first to give its sanction and support to the usurpation of Spain; and, by this new instance of abject subserviency to the tyrant's views, it afforded fresh proof, that, however the expedition to Copenhagen was to be lamented on other accounts, the Danish government could not receive a more severe chastisement than it deserved, for its base attachment to the common enemy of all free states and all principles of freedom.

* The Danish mile is to the English as 4, 58 to 1;—it is, therefore, somewhat more than four miles and a half English; and this march was rather more than 82 miles.

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CHAP. XVIII.

Spanish Colonies. Dispatches intercepted. Proceedings at Cuba, and Venezuela, Mexico, and Buenos Ayres. Manifesto of the Prince of Brazil. Conduct of the French in Portugal. Insurrections at Porto, in Algarve, and Alentejo.

The naval power of England, which Spain has so often severely experienced during its unfortunate alliance with France, preserved the Spanish colonies and maritime provinces from the arms of the tyrant; his artifices were, however, still to be apprehended. A French agent, who was sent to Minorca to obtain a recognition of the intruder from the governor and the magistracy, was happy to effect his escape from the island; and a communication with the British fleet was opened by the captain-general of Majorca. The inhabitants of the Canaries resolved not to submit to the usurpation, even before they were informed of the general resistance which had broken out in the mother country: they proclaimed Ferdinand in all the islands, and such was the enthusiasm prevailing in his favour, that the patriotic cockade was worn, not only by all ranks and classes of the laity, but by the monks, and even the nuns in their cloisters. A junta, composed of representatives from each of the islands, assembled at Laguna, the capital of Teneriffe; they resolved to resist the French, to acknowledge no other sovereign than Ferdinand and his lawful successor; and they opened their ports to the English.

Lord Collingwood had obtained intelligence, that La Rapide, a corvette, charged with dispatches * from Bayonne, had sailed for Cayenne; and, when he sent out advices of the Spanish revolution to Sir Alexander Cochrane, commander in chief on the Leeward Island station, he requested that he would endeavour to intercept this vessel, or counteract the effect of her papers. La Rapide was fortunately taken by the Balette sloop of war, and carried into Barbadoes; but her dispatches had been thrown overboard. Shortly afterwards, two cartels arrived, the one from Martinique, the other from Cayenne. To prevent any communication between these vessels and the prisoners from Europe, the latter were immediately sent to England in the ship of war then sailing with the convoy. Some circumstances, however, occasioned a suspicion that the cartel from Cayenne had spoken

* Appendix, No. XXXIV.

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with La Rapide at sea: this led to an investigation, and duplicates of the dispatches were discovered under a barrel of flour.

The Carolina, with dispatches for Buenos Ayres, and 4000 stand of arms, was intercepted soon after she sailed from St Sebastians, and the arms were landed at Gijon, for the patriots. La Mouche, bound, upon the same service, to the Havannah, met with the same fate. That vessel would not have been more fortunate if it had reached its place of destination; for when the tidings of the usurpation were known in Cuba, the indignant spirit of the people burst out with the same unanimity as it had done in Spain. Even the Franciscans presented an address to the governor of the island, declaring themselves ready to meet death with pleasure, in the cause of Ferdinand and their country. Though, from their profession, perhaps, they said, they might not be thought qualified for any other task than that of directing the spiritual concerns of their brethren, and supplicating God to look down with mercy on his people, nevertheless, while they diligently discharged that duty, they earnestly entreated that they might be called upon among the first for any service, however difficult and laborious,—even that of carrying arms, in this righteous cause. We are Spaniards, said they, and there runs in our veins the blood of those who have fallen, and are at this moment falling, victims to the ferocity of Murat, and the ruffians who accompany him.

Sir A. Cochrane's first measure was to liberate his Spanish prisoners, as had been done in England, and send them to the Spanish Main in the Acasta frigate. A brig, with dispatches from the intruder, reached La Guiara before her. The English officer, Captain Beaver, a man of extraordinary talents, immediately landed, and presented himself before the governor, at the very time, it is said, when the agent of Buonaparte was endeavouring, with all the arts of allurement and intimidation, to accomplish the object of his mission. Such artifices were of little avail. The Seville manifesto had previously arrived, confirming the account brought by the English frigate; and the hall of audience rung with shouts in honour of Ferdinand and his ally the King of England: their acclamations were repeated by the eager multitude, who were waiting to have their own determination confirmed by the governor, and the shout soon echoed through the city. The Frenchman was sent to prison, the imperial brig was seized, and the colours of Spain and England were hoisted on all the forts, under a general salute.

The same spirit manifested itself at Mexico: a junta was assembled, and the oath of allegiance to Ferdinand taken by the viceroy and all persons in authority: they swore also to acknowledge no other sovereign than him or his lawful successor of the Bourbon line; and not to obey any orders proceeding from the French, through whatever channel they might be issued, nor any authorities whatsoever, unless they were instituted by him, or his representatives, legally and authentically appointed. Fourteen millions of dollars were immediately voted, by the city of Mexico, to the service of the mother country, and the people, boasting that they were the successors of the immortal Cortes, enrolled themselves for the defence of that empire which he had

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won for Spain. The viceroy, however, had only yielded to the public feeling, because he was not able to oppose it. The governor of Vera Cruz also was disposed to transfer his loyalty to the intruder; and when a ship with French colours arrived at that port, and having been boarded from barges sent out by the commander of the marine, was brought in, he forbade all persons, on pain of death, from going on board her. The needless severity of this edict served only to exasperate the people, and heighten their suspicions. They assembled tumultuously; yet, like their fellow patriots in Spain, observing constitutional forms, even in insurrection, they called upon the regidores of the town, and required them to bring the dispatches from the French vessel, and communicate their contents. This was done; and as the papers consisted of proclamations and orders from the intruder, they were publicly burnt. The house and effects of a merchant, who was suspected to be in the French interest, shared the same fate: his life was also threatened; but when the nuns came out of their convent, and the host, under its pall, was brought forth, the fury of the populace yielded to their devotional feeling, and the tumult was appeased. The people, however, insisted that the place should be put in a state of defence; and they formed a junta, in whose vigilant patriotism they might confide against the treasonable inclinations of their governor.

Even at Buenos Ayres, where that animosity against the English, occasioned, throughout the Spanish colonies, by the ravages of Drake and Cavendish, and the buccaneers, had been so unhappily revived, just when the lapse of time had obliterated it, there prevailed among the people a feeling of stronger and juster resentment against the French. Nevertheless, there existed a party there, in consequence of Sir Home Popham's wretched expedition, numerous enough to support the governor Liniers in a temporising policy, which, while it waited to acknowledge the right of the strongest, evidently inclined towards the Buonapartes. A French agent was received by this governor; and Liniers informed the people, that the Emperor of the French had been compelled to recognise the absolute independence of the Spanish monarchy, and of all its transmarine possessions, without retaining or dismembering the minutest portion of its dominions; that a cortes was assembled at Bayonne, where the fate of the monarchy was to be decided; that the Emperor of the French, applauding the triumph and constancy of the inhabitants of Buenos Ayres, exhorted them to maintain the high reputation which they had acquired, and offered them succours of every description. He had not hesitated, in reply, to assure his imperial majesty, that the city over which he presided was chiefly distinguished for its loyalty to its lawful sovereign; and that he should thankfully receive arms, ammunition, and Spanish troops. Let us, he added, imitate the example of our ancestors in this happy land, who escaped the disasters that afflicted Spain in the war of the succession, by wisely awaiting the fate of the mother country, to obey that power which occupied the sovereignty. Nevertheless, he said, as he had received instructions from the council of the Indies to proclaim Ferdinand, and take the oath to him, and had no orders sufficiently authoritative to counter-

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mand them, that ceremony was to be performed with solemnities and public rejoicings. Notwithstanding this readiness, on the part of the governor, to acknowledge the intruder, the patriotic cause daily acquired strength; it soon became as unpopular to speak French as it had ever been to speak English; and an arrangement was made with the Brazilian court for opening the place to British and Portugueze ships.

While the last act of the Corsican's perfidiousness, and of the tragedy of the Bourbons, was representing at Bayonne, the Prince of Brazil, having safely reached that city, which ought long since to have been made the capital of *May* 1. the Braganzas, published a justificatory exposition of his conduct towards France, from the commencement of the French revolution, in order that his subjects, impartial Europe, and distant posterity, might judge of the purity of his conduct, and the principles upon which he had acted. It is not in invectives, said this manifesto, that the court of Portugal will raise its voice from the midst of the new empire which it is about to found: by a plain and faithful statement, it would make known to the world all that it had suffered, and then appeal to Providence. A religious prince felt the importance of such an appeal; for guilt could not always remain unpunished, and usurpation and violence enfeeble themselves by the continual efforts they are obliged to employ. In explaining the motives and conduct of Portugal during the anti-jacobine war, it was averred, that, though she sent troops for the defence of the Pyrenees, in conformity to the treaty of alliance with Spain, she, nevertheless, endeavoured to preserve the strictest neutrality. This was the only weak part of the manifesto; and the assertion, strange as it is, was so needless in this place, that it would not have been advanced, if the Portugueze ministry had not, by some unaccountable mode of reasoning, persuaded themselves of its validity. With better reason, it complained of Spain; how that power, after having involved its ally in hostilities with France, joined France against her, and, by the help of that confederacy, extorted from Portugal the little territory belonging to her beyond the Guadiana. Then it was that France gave the first proof of its bad faith; for after the treaty of Badajoz had been signed by Lucien Buonaparte, the Prince de la Paz, and the Portugueze plenipotentiary, the French government refused to ratify it, and forced Portugal to sign a new treaty at Madrid, with much harder conditions: nor was there any motive assigned for this act of violence, except that such was the pleasure of France. Almost at the same time, the peace of Amiens was concluded, which moderated some conditions too oppressive to Portugal; and this consideration of England for its ancient ally, was regarded by France as a new proof of the servitude and bondage in which the English government held the court of Lisbon.

Portugal hastened to fulfil the burthensome conditions of the treaty. The war was soon renewed between England and France; and having made the greatest sacrifices for the sake of preserving itself in peace, the court thought itself fortunate, at a heavy expence of money, to conclude the treaty of 1804, in which the first consul expressly consented to "acknowledge the neutrality of Portugal during the present war,

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and not to oppose any measures that might be taken with respect to the belligerent powers, conformably to the principles and general laws of neutrality." From that time the French government received all the advantages of such a treaty: it never had occasion to make the smallest complaint against Portugal; yet, during the same war, and after this same stipulation, it required of Portugal, not only an infraction of neutrality, but a declaration of war against England, in violation of the treaties existing between the two countries. Portugal had no grievance to complain of against England, which had, on the contrary, given her every kind of satisfaction, when the commander of some British ships of war failed in that respect which was due to a neutral flag. A French squadron, meantime, having on board the brother of the emperor of the French, anchored in Bahia de Todos os Santos, was received there with every kind of respect, and supplied with all sorts of refreshments. Yet that squadron burnt some Portugueze vessels, to conceal its route, promising, at the time, to indemnify the proprietors; which promise was never performed. This was a sample of the fate which awaited Europe, if ever France should acquire an ascendency by sea, equal to that which she had obtained by land; and hence the complaints which she so loudly uttered against the maritime tyranny of the English might be rightly estimated.

From 1804 to 1807, France received from Portugal all the colonial commodities and first materials for her manufactures; thus profiting by the alliance between Portugal and England during a disastrous war by sea, in which she experienced nothing but defeats. The council of Lisbon might therefore reasonably suppose, that that of the Thuilleries would respect a neutrality which it had acknowledged by a solemn treaty, and from which it derived such decided advantages; but from this security it was awakened, in the month of August, 1806, by a formal declaration of M. Talleyrand to Lord Yarmouth, that if England did not make a maritime peace, the French government would declare war against Portugal, and order that country to be occupied by 30,000 men. Roused at this declaration, England offered to Portugal every kind of succour; but just at this time, Prussia, who, twelve months before, might probably have delivered Europe, by acting in co-operation with Austria and Russia, came forward singly to oppose France. Buonaparte then found it convenient to spare Portugal, and accordingly found means to pacify her court:—his views were still farther protracted by the war with Russia, which continued; and it was not till the peace of Tilsit was concluded that he assumed a dictatorial language, such as it might have become Charlemagne to address to his vassal princes. He then, through the French charge d'affaires, and the Spanish ambassador at Lisbon, required the Prince of Brazil to shut his ports against England, to detain all Englishmen who resided in Portugal, and to confiscate all English property. If these demands were not complied with, both ministers had orders to depart on the first of September, that was, about three weeks after the proposition was made. Meantime, without waiting for the determination of Portugal, the French government ordered all Portugueze ships to be seized in the French ports; thus commencing hostilities without any declaration of

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war, and carrying to a far greater length the proceedings which form its continual topic of reproach against England; reproaches which, after such conduct, Europe will know how to appreciate.

Desirous of sparing the blood of its people, and placing implicit confidence in the friendship of his Britannic Majesty, its old and faithful ally, the court of Portugal endeavoured to render the demands of France more moderate, by consenting to shut its ports, but resisting the two other articles, as contrary to the principles of national law; and the prince regent, without hesitation, declared, that those articles equally wounded his religion and his principles of morality, from which he never deviated, and which were perhaps the true cause of that unshaken fidelity which he experienced from his subjects. He then began to adopt measures for securing a retreat to that part of his dominions which is not exposed to any invasion capable of exciting alarm: at the same time he directed the English to sell their property, and leave his kingdom. Not satisfied with this, Buonaparte demanded that the ports should be shut, that all British property should be confiscated, all British subjects imprisoned, and that the project of retreat to America should be abandoned. The prince, knowing that the King of England would consent to the exclusion of his ships, in order to save Portugal from invasion, and knowing also that all English property had been sold or removed, and no Englishman remained, except such as were naturalized, submitted even to these demands; but he declared, that, should the French troops enter his country, he was firmly resolved to remove the seat of government to Brazil, the most important and best defended part of his dominions. He then ordered his whole army to move to the coast; and supposing that, as France had obtained essentially all which she demanded, she would have nothing more to ask, confided in that good faith which ought to be the fundamental principle of every government, and felt conscious that, having done every thing in his power to secure the tranquillity of his people, and avoid a useless effusion of blood, he had discharged his duty. General Junot, however, entered his kingdom with the vanguard of his army, without the consent of the prince, and without any declaration of war, assuring the people that he was marching to succour their prince against an invasion of the English, and that he came as a friend and ally. The temerity of advancing with so small and miserable a force would have been absurd, had not Junot, whose conduct at Venice and Lisbon has made him but too well known, relied on the feelings of a virtuous prince, and known that he would not expose his people to after calamities for the sake of a certain first success; for the prince, surprised as he was, might have rallied the troops around him, called in the English fleet, and have cut to pieces that general and his men.

Thus situated, the prince adopted the only measure which was consistent with his uniform principle of saving the blood of his people. The plan of the French government had nothing less in view than to secure his royal person and the whole royal family, in order to divide, at its own will and pleasure, the spoils of the crown of Portugal, and the Portugueze dominions. Providence favoured him: he retired with his august family to Brazil, and thus dis-

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concerted the project of the French. He had learnt, since his arrival, with horror, the usurpation of Portugal, the pillage and plunder practised there, and the tyrannical proceedings of the Emperor of France, who, as if he were the dictator of Europe, represented this removal to Brazil as a crime both in him and in the faithful subjects who accompanied him, and proscribed the right of the Braganzas to their crown. From what code of the law of nations had the Emperor of the French derived such principles, and received such an authority? He called the attention of all the European powers to this monstrous assumption of supremacy, to the criminal and treacherous conduct of a government which aimed at the universal domination of Europe, and of the whole world! These transactions were the forerunners of ages of barbarism and misery, such as followed the downfal of the Roman empire; nor could those fatal consequences be averted, unless exertions were unanimously made to restore the equipoise of Europe, setting aside those feelings of rivalship by which so tremendous a power had been enabled to raise itself, to the imminent danger, if not the destruction, of all.

The prince regent therefore, said this manifesto, after these unprovoked and unexampled injuries, declaring all those treaties null and void which the Emperor of the French had forced him to conclude, and particularly those of 1801 and 1804, because the emperor has violated and never respected them, breaks off all communication with France, authorizes his subjects to wage war by sea and land against the French, will not lay down his arms, unless in concert with his Britannic Majesty, his old and faithful ally, and will never agree to a cession of Portugal, the most ancient part of the inheritance of his august royal family. *

Except in the strange supposition that Portugueze troops could be sent to act in alliance with the Spaniards against the French republic, and yet Portugal remain at peace with France, this manifesto was in all its parts as accurate as it is convincing. It becomes the more impressive when compared with the French official reports concerning Portugal, which are equally remarkable for the futility of the complaints alleged against her, and the insolence with which they are brought forward, as serious grounds for war. Every sovereign in Europe, it was here premised, must acknowledge, that, if his territory was violated, to the detriment of the Emperor of the French, he would be responsible for it. But when the Portugueze government suffered its ships to be visited by English ships, its independence was as much violated as it would have been if England had violated its ports. But this was done by the consent of Portugal. Portugal was therefore an accomplice in the wrongs committed by England; therefore in a state of war with France; and, notwithstanding the benevolent disposition of the emperor, war with Portugal was now a painful but necessary duty. † Such was M. de Champagny's logic; and it was accompanied with a statement of other grievances, equally futile, and with the direct falsehood, that the Portugueze nation unanimously wished the prince to break off his connection with England:—and at the very time when charges thus

* Appendix, No. XXXV.

† Appendix, No. XXXVI.

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contemptible were brought against the good faith of the Prince of Brazil toward Buonaparte, Buonaparte was actually concluding the treaty of Fontainbleau, for dispossessing him of his dominions, and partitioning them among strangers. This fact had not been disclosed when the Prince of Brazil issued his manifesto; but it was not needed to strengthen his cause: the conduct of the Corsican towards Portugal had been already so perfidious, so tyrannical, so cruel, that, when this disclosure was made, it seemed like a supererogation of wickedness, committed by one whose guilt and infamy were already consummate.

When intelligence of the usurpation of Spain, and of the imprisonment of the royal family, was received at Rio de Janeiro, the Princess of Brazil, as daughter of Charles IV., and the Spanish Infante Don Pedro, her cousin, addressed a memorial to the prince, requesting that he would maintain, protect, and preserve the rights of their royal house for the King of Spain, or for them his nearest relations who had escaped. By means of his assistance they trusted that a perfect alliance might be effected with the Spanish-Americans, by which all attacks of the enemy would be frustrated, and they should destroy the seeds of those family quarrels which were incessantly arising between the subjects of the two kingdoms. This claim on their part they entreated him to communicate to all the civil and ecclesiastical authorities of Spain; and accordingly their papers, * with the prince's answer, and a manifesto on their part, were circulated in the Spanish provinces of South America.

The prince regent was now fully aware of the extent of the evil from which he had escaped: his apprehension of it had been strong enough to induce him to this fortunate removal; yet, when he was on the point of emigrating, he had still indulged a hope that the hostilities of France were directed wholly against the English, and that he himself might still purchase her forbearance by non-resistance. *Nov.* 27. 1807. In a proclamation issued just before his departure, wherein he appointed the Marquis of Abrantes head of a regency during his absence, he affirmed, that the troops which were then entering Portugal were destined particularly against his own person; but, in a supplementary edict, bearing date the same day, he directed the regency to provide good quarters for the French troops, and to supply them with every thing which they might require during their stay in the kingdom, averting all and every insult that might be perpetrated, and punishing with rigour any that might occur: thus, as he said, to maintain the good harmony which ought to be displayed towards the armies of nations with whom he was united on the continent.

The suspicions of the prince were better founded than his hopes. The French troops, thinking to surprise him, advanced with a rapidity unusual even in their armies: they marched forty miles a-day, through bad roads and constant rain; and their advanced guard entered Abrantes before the Portugueze government knew that they had set out. They reached Lisbon on the 30th of November, and on the following day, the anniversary of the Braganza revolution, the Portugueze flag was

* Appendix, No. XXXVII.

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struck, and that of France hoisted in its stead. According to the French accounts, an earthquake had just been felt in Lisbon, and the morning was unusually tempestuous; but no sooner had their flag been hoisted, than the tempest ceased, the sun came forth, and the weather became serene and beautiful! They represented this as an omen of the beneficial changes to be produced by their presence;—never was omen more fully contradicted by the event. Junot began his tyranny with a proclamation, addressed to the Lisboners, before his army entered the city. He was coming, he said, for the purpose of rescuing their ports and their prince from the influence of England; but that prince, so respectable for his virtues, had been hurried away by the counsels of wicked men, who made him feel apprehensions for his personal safety; and he had flung himself into the arms of his enemies. "Inhabitants of Lisbon," said this Frenchman, "fear neither me nor my army; we are formidable only to the enemy and to the wicked. The great Napoleon, my master, sends me to protect you."

In Portugal, as well as in Spain, the inquisitor-general lent all his authority to the usurpation. He exhorted the people to bless God for all things, and, among them, as a signal benefit, for the peace and good order which prevailed since the French had come to their succour; and he bade them not forget that the army which was in the midst of them was that of Napoleon the Great; that that monarch had been sent by God to protect religion, and render men happy; that he would pour upon them the blessings of peace; and that they would enjoy all sorts of happiness, if they showed themselves worthy of such great protection. They were to obey power, not through fear, but through a duty of conscience; and unless they obeyed, they could neither hope for happiness in this world, nor in the life to come. A pastoral letter to the same tenor was circulated by the patriarch. The clergy, both in Spain and Portugal, have done their duty in these arduous times: but if some of their bishops, like those of St Andero, Orense, and Porto, had not redeemed the hierarchy, the conduct of those wretches who were at the head of the establishment might have proved as fatal to their church, as it was treasonable to their country.

A people who were to be plundered and oppressed were first to be disarmed. Junot had been only four days in Lisbon when he prohibited the use of fire-arms in hunting and shooting, universally over the whole kingdom; assassinations, he said, being daily committed under the pretext of shooting, and it being his intention to cause the game to be destroyed in a regular manner, in places where it might be hurtful. Any person, therefore, not in the service, who should be found armed with gun or pistols, hunting or shooting, without a licence from General La Borde, the commandant of Lisbon, signed and sealed by him, should be considered as a vagrant and a highway assassin, and tried as such by a military commission.

The system of plunder was begun by a decree for confiscating all British property, and all goods of British manufacture, of any kind whatsoever. But as money, and not goods, were what the French wanted, English manufactures were to be ransomed by their possessors at a third *Dec. 4. 1807.*

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part of their value. Any person who did not, within three days, make a true and exact declaration of all the British property in his possession, should forfeit ten times its value, and receive corporal punishment; and the same penalties were denounced against any merchants, French as well as Portugueze, or of any other nation, who should in any manner attempt to conceal such property. No people are more honourable in their commercial dealings than the Portugueze: neither the tyranny of Junot, nor the sophistry of their inquisitor-general could induce them to violate the principles of honour and probity: they found means, in spite of the utmost and severest vigilance, of remitting money to England, in payment to the British merchants; and the rapacity of the French was, in this instance, completely disappointed. But the Portugueze themselves could not escape. Junot informed them that the destinies of their country were brightening, and her future happinesss secured, because Napoleon the Great had taken them under his omnipotent protection. Let it not be supposed that this language has been exaggerated, for the purpose of making it appear absurd and monstrous;—the extravagance and the impiety of French bombast, here, and in all other parts of this relation, *have been literally transcribed.* The Prince of Brazil, they were told, had, by leaving Portugal, renounced all his rights and sovereignties over that kingdom; the house of Braganza had ceased to reign there; and it was the will of the emperor that it should be governed, in his name, by the general-in-chief of his army. A council of government was appointed under his presidency; the regency, it was said, becoming, of course, annulled by the flight of the prince. Great things were promised:—roads were to be made, and canals formed, and public instruction so diffused, that the remotest provinces would produce their Camoens. Public tranquillity was no longer to be disturbed by highway robbers, nor public decency shocked by the beggars who obtruded their diseases and deformities upon the eyes of the people: workhouses were to be erected, where the helpless should be supported, and the idle be employed in labour necessary for their own maintenance. The Portugueze troops, commanded by the most deserving of their officers, would soon form but one family with the soldiers of Marengo, Austerlitz, Jena, and Friedland. If some sacrifices should be called for at first, they would be required only to place the governor in a proper condition to ameliorate the condition of the country; and they were indispensably necessary for the sustenance of a large army, which was requisite for the execution of the vast projects of the great Napoleon. His watchful eyes were fixed upon the Portugueze, and their future happiness was certain: he would love them as much as he did his French subjects.

Feb. 1. 1808.

The first of these sacrifices had already been called for; Junot having, of his own authority, exacted a contribution of 12,000,000 of cruzados, (about £1,200,000.) A decree of Buonaparte's was now promulgated, requiring 100,000,000 of franks from his kingdom of Portugal, as a war contribution; and the former payment being allowed as part, 28,000,000 cruzados more were demanded, amounting in all to about four millions sterling. The church plate in and about Lisbon was to be

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carried to the mint, and taken towards this account. In this manner some of the finest works of modern art were destroyed. The blood of Portugal was drained, as well as her treasure:—a conscription of 40,000 men, between the ages of eighteen and thirty-five was ordered; and the flower of her youth were marched off, as fast as they could be raised, to fill the armies of the tyrant, and assist in inflicting upon other countries the same dreadful and intolerable oppression under which their own was suffering.

Before this unprovoked invasion of the French, Lisbon was one of the most prosperous cities in Europe. The inhabitants not only derived wealth from their intercourse with the English, but they had learnt also a spirit of commercial enterprize; literature was reviving, under the influence of an academy, which, for its many important and useful labours, will always be remembered with respect; and though the superstition of the people remained the same, their intolerance was visibly abated. Wretched as their government was, it would have partaken of the general improvement, had not the dreadful tyranny of France so long kept it in perpetual alarm, and drained its resources, before it finally destroyed it. The prince regent was not a man of commanding talents: his education (for he was a younger brother) had been totally neglected; and his deep sense of this deficiency contributed, perhaps. to enfeeble his character. Even in Portugal, he was remarkable for his devoted attachment to all the superstitious ceremonies of the Romish church, in its most corrupted form; but, on the other hand, he was absolutely without vices; and no prince was ever more conscientiously anxious to discharge his duties. In better times his task would have been easy; and an enlightened minister might have made him the restorer of his country. A convulsion of nature, the most dreadful in its effect of any which modern history records, once laid Lisbon in dust and ashes. That calamity has been impiously urged, by Voltaire, as an argument against the goodness of God. A greater extent of misery was now brought upon Portugal by the aggression of his countrymen; greater, even if misery were to be calculated by merely the sacrifice of lives which that aggression has occasioned. But a long catalogue of evils, worse than death, sprung from this political convulsion. The earth was still, and the storm ceased, and the sun shone forth, when the French flag supplanted that of the Braganzas,—but never did the wand of a magician produce a more immediate and disastrous change. The commerce of Lisbon was smitten as with a dead palsy; an English blockading squadron was off its bar, and not a ship could enter. The hundreds and thousands who derived not merely subsistence, but comfort and respectability from the various branches of commerce, were thrown suddenly out of employment; most of the persons who belonged to the public offices were discharged, there being no longer any occupation for them,—the few who were retained had their salaries diminished by one half; a grinding contribution was to be raised; and scarcity was beginning to be felt; for Lisbon had for many years received more than half its supply of corn from foreign countries. The convents where the poor had formerly been supplied with food were filled with soldiers,—the officers were quartered upon the inhabitants; plunder was the common business of both.

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Such was the general distress, that women, hitherto of unblemished life, and in circumstances of ease and comfort, now walked the streets, offering themselves to prostitution, because they were in want of bread!

The Portugueze were little likely to endure in patience these aggravated evils. They have been reproached for their propensity to revenge:—that propensity proceeds not more from a lively and perverted sense of honour, than from the supineness of their government, which, by suffering all crimes to be committed with impunity, loosened the bonds of society, and left every man to take vengeance for himself. They have also, like the Spaniards, a deep and ever-present remembrance of their former greatness. The vanity with which this is sometimes manifested has excited the contempt of those who are little acquainted with the real character of the nation; but it is more generally a feeling of melancholy pride. The degeneracy of the Portugueze was confined to the higher ranks, whom every possible cause, physical and moral, combined to degrade. Generation after generation, they had intermarried, not merely within the narrow circle of a few privileged families, but oftentimes in their own; uncles with their nieces, nephews with their aunts. The canonical law was dispensed with for these alliances; but no dispensing power could set aside the law of nature, which rendered degeneracy the inevitable and righteous consequence. Thus was the breed deteriorated; and education completed the mischief. The young fidalgo was never regarded as a boy: as soon as the robes, or rather bandages of infancy were laid aside, he appeared in the dress of manhood, was initiated in its forms and follies, and it was rather his misfortune than his fault if, at an early age, he became familiar with its vices. When he arrived at manhood, no field for exertion was open to him, even if he were qualified or disposed to exert himself. The private concerns of embellishing and improving an estate were as little known in Portugal as the public affairs in which our nobility are so actively engaged:—if not in office, he was in idleness, and his idleness was passed in the capital. A wasteful expenditure made him a bad landlord, and a bad paymaster: a deficient education made him a bad statesman; a loose morality made him a bad patriot. There is an original goodness in human nature, which not unfrequently survives the most baneful circumstances in which it can be placed. These causes of degeneracy were common to all the Portugueze nobility; the effects, of course, were not equally apparent in all; and they who followed the prince regent to Brazil displayed no common loyalty.

The clergy were not so learned as their predecessors, but not so intolerant. The middle classes were improved,—the peasantry uncorrupted; their occupations were the same as those of their forefathers, nor did they differ from them in any respect, except the very important one, that a long interval of peace, and their frequent intercourse and frequent intermarriages with the Spaniards, had effaced the old enmity between the two nations, and a union had thus naturally been effected along the border. They are a fine, hospitable race, of whom, as indeed of the nation at large, those persons who have been most conversant with them uniformly speak the best. The upper boughs were cankered, but the trunk and the root were sound.

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Junot soon perceived what was the temper of the people. They had been delivered up to him, without resistance, by the fears of their government,—perhaps by its prudence,—when the army had been so long neglected, and preparations for defence so long delayed. But when they saw their own standards taken down, and the French arms substituted in place of those which they regarded with reverence, believing that Christ himself had given them to their first king, they could not brook the insult, and attempted a resistance, in which a few of them fell, the protomartyrs in the patriots cause. An attempt at insurrection soon followed in Lisbon, chiefly made by the peasantry of the adjoining country: they were without leaders or system; and it was easily suppressed. Junot had prohibited fire-arms, but the knife was a weapon of which he could not possibly deprive them; and it was well exercised upon those Frenchmen, who, forgetting that it was only from their numbers and discipline that they derived protection, ever ventured to expose themselves alone. Their conduct towards the woman would have provoked and deserved this fate, had there been no other provocation. Nothing of this kind took place with the Spaniards who entered Portugal to cooperate with the French, in conformity to the treaty of Fontainbleau: they conducted themselves towards a kindred people as they would have done towards their own countrymen; and the indignation which the Portugueze felt for this unprovoked hostility of their government did not extend to them.

A few of the English, who, but lately, had formed so flourishing, so respectable, and so happy a society in Lisbon, still remained there, unable to embark in time, or hoping yet to save more of their property; some merely because they knew not where to go, this being in fact their country. As many of these as could be found were confined in the English hospital; a building sufficiently commodious for such a purpose, but which, not improbably, was selected by Junot, because it stood in the burial ground of the English factory, and would therefore necessarily add, as far as any local circumstances could add, to the painful recollections of the prisoners. The object of this confinement was, in the spirit of the dark ages, to extort a ransom for the benefit of the French general. Some purchased their liberty,—others escaped, by help of a Russian squadron, under Admiral Siniavin, which, on the commencement of hostilities between this country and the czar Alexander, had taken refuge in the Tagus, and which afforded to the proscribed and persecuted English a protection highly honourable to the Russians. The fugitives remained on board these ships till they could get out of the river in fishing boats, and reach the English fleet. Many Portugueze fled in like manner to our fleet; all who had property or connections in Brazil, or the other colonies, being eager to escape from the dreadful oppression to which their country was reduced. To check this emigration, Junot issued an edict, equally remarkable *April 5.* for the falsehood and the ferocity which it displayed. The proclamations which the English, from their command of the sea, found means to introduce, and in which they offered to receive all Portugueze who wished to follow their prince, were, he said, published by them as

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a lure to procure soldiers, of which their squadron was greatly in need; and therefore, wishing to prevent the misery of those who might otherwise become the victims of the English admiral's perfidiousness, he decreed, that any boat or vessel whatever from the English, approaching any part of the coast, under any pretext, even with a flag of truce, should be fired upon; that any individual detected in endeavouring to get on board an English vessel should be brought before a military committee, and condemned to six months imprisonment, or to death, according to the case; that any owner of a boat, or other person whatsoever, who should be proved to have facilitated the passage of any one to the English squadron should be punished with death. The French military penal code, by which death is, in every case, the punishment for desertion, was ordered, from that day, to be put in execution against the Portugueze army.

April 7. This was followed by a proclamation from Lagarde, the French intendant-general of police, ordering a list to be delivered to him of all persons who had emigrated, that their names might be inscribed in the list of conspirators, and their property confiscated; compelling all householders to give immediate information when any of their inmates had escaped, and all fellow inmates also; ordering all papers, letters, or proclamations from the English fleet to be immediately delivered to the police, by those persons into whose hands they came, on pain of punishment, as agents of the enemy; decreeing the same punishment against those who reported pretended news from the fleet, unless they specified the source from whence they derived, or the persons from whom they obtained it; and giving notice that an office was opened at the Hotel of the intendant-general, for receiving information, and paying rewards to those whose information should prove correct. This hotel was the old house of the holy office, now converted into a state inquisition, hardly less detestable than that which it had supplanted.

These measures, and the executions by which they were enforced, were sufficient to repress the people till the revolution in Spain broke out. Deputies, as they were called, were sent to Bayonne; they were composed of those persons whom it was thought proper to secure in France, because of their loyalty, and of others who would be fit tools for the tyrant's pleasure. Among the former was the Marquis of Abrantes, the president of the regency, whose estates, with the title of duke, were conferred upon Junot, when Buonaparte created his new nobility. A letter from these deputies to the Portugueze nation was circulated by the duke-intruder, informing them of their interview with the emperor; that nothing could equal the extent of his genius, the sublimity of his mind, and the generosity of his principles; that he had spoken with a noble indifference concerning the rights which events had given him over Portugal; had treated of the means of raising them to their due station among the powers of the continent, and of delivering them from the yoke of British influence, under which they had so long suffered; for he would endure no English colony on the continent: finally, he had declared, that their fate was in their own hands, depending on the uprightness with which they should embrace the general cause of Europe, and the firmness with which they should resist temptation.

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But such professions, and the promise of Junot, that their new organization should speedily take place, had little effect in soothing a people who had for six months endured the complicated miseries brought upon them by French oppression, and from whom it was not possible that the general insurrection of the Spanish nation could be concealed. Junot, however, receiving the earliest intelligence, took immediate precautions against the danger. He ordered the Spanish troops at Lisbon to be ready in the great square at a very early hour, for the purpose of crossing the Tagus, on their way to Setubal. They had no sooner assembled than they were surrounded by a French force of horse and foot, compelled to ground their arms, and put in confinement on board the hulks in the river. Thus were the people deprived of any military assistance, except such as England might be disposed to send, or Spain enabled to spare; for their own army, and the prime of their youth, had already been sent off. Some having passed the Pyrenees, were stationed in France, or marched into the dependent states of the continent; some, effecting their escape as they traversed the peninsula, joined the Spaniards; others, more unfortunate, were forced into the foremost ranks at the siege of Zaragoza, and exposed to certain death, from the hands of men by whose side they would eagerly have fought, and in whose cause they would contentedly have fallen.

June 11.

The junta of Seville addressed one of their first proclamations to the Portugueze, exciting them to take vengeance upon their oppressors, and promising them assistance. Their circumstances were even more discouraging than those of the Spaniards; nevertheless the insurrection was not less general than it had been in Spain. There was a Spanish force at Porto, stationed there in consequence of the treaty of Fontainbleau. The revolution had been so unexpected, that Junot had not taken the precaution of stationing with them a superior body of French; nor had he time to adopt measures for securing them, as he had done their countrymen at Lisbon. No sooner were these men acquainted with the events which were passing in Spain, than they seized the French governor of the city, delivered him into the custody of the Portugueze, and, leaving them to restore their former governor, and provide for their defence, marched into their own country, to join the patriots. But Luiz de Oliviera, the governor whom they left in authority, was a traitor at heart, and, instead of encouraging and directing the enthusiasm of the people, endeavoured to check it, and to give time for the arrival of a French detachment. The festival of the Corpo de Deos, or Body of God, as the wafer is called in the mythological language of popery, happened to fall at this time: it is the greatest holyday in the Portugueze calendar. The soldiers were ordered, as usual, to form a part in the procession, which is the most splendid of all their ceremonies; but they were told not to carry their colours, because they bore the arms of Portugal. The officers would not parade without them; and, in consequence, only one company attended. This occasioned loud murmurs. The governor, one of those wretched men who believe in the omnipotence of Buonaparte, represented to them, by his agents, that a French force, under General Loison, was approaching,

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which it would be impossible to resist: and threats of the guillotine, and of military execution, were *June* 18. held out, to intimidate them.

On the following day, he ordered carts to be sent off with provisions for the French detachment, which, he said, would halt that night at Oliviera das Amayas, and reach Porto on the morrow. An inferior officer, who saw the carts loading, exclaimed, indignantly, that nothing but powder and ball ought to be sent to the French. Nothing more was needed to rouse the by-standers: they stopped the carts; a crowd collected; the officer hastened to the barracks, called upon his comrades and the soldiers, and, mounting on horseback, displayed the Portugueze flag, and rode to the square of St Ovidio, exclaiming, "Long live the Prince Regent!" The cry was re-echoed throughout the whole city, the arsenal was broke open, the populace took arms, and Oliviera and the partizans of France were thrown into prison. Bernardino Freire de Andrade, who had been governor of the province before the emigration, now resumed his command, in the prince's name; and the bishop, putting himself at the head of the patriots, was appointed president of a provisional council. Measures were taken for the defence of the city; for it was to be expected that the enemy would immediately hasten to reduce it. The people readily enrolled themselves; but, as if intoxicated with joy, they began to celebrate their deliverance when they should have been labouring to secure it: men who ought to have been erecting batteries, and throwing up trenches, were beating drums and ringing the church bells; powder was wasted in noisy bravery; and the city was illuminated for three successive nights. They were preparing to march out to war as to a festival; but the bishop, addressing them in the name of Heaven and of Jesus Christ, warned them of the folly and danger of such proceedings. It was not thus, he told them, that the French could be destroyed. These things were signals to the enemy; instead of which, their system should be, to be unseen and unheard, that they might be felt the more fatally,—to conceal their power, that they might strike when the blow was not expected. It was by vigilance, dexterity, and the help of a little cloak, that the bull, with all his strength, was brought to the ground. The bishop's conduct was as wise as his advice: he opened a communication with an English ship of war which was off the bar, sent an accredited agent to England, and concluded an alliance, offensive and defensive, with the junta of Galicia; Galicia engaging, first, to assist in liberating Portugal, and Portugal promising, after her own deliverance should be accomplished, to co-operate in expelling the French from every part of the peninsula.

Junot apprehended some disturbances at Lisbon on the day of the Corpo de Deos, and therefore lined the streets with the whole of his army, as if to do honour to the procession. No occasion, indeed, could be more likely to excite the indignation of the collected multitude, who had been always used to see their prince, in person, following the host upon this day. Another circumstance, unimportant in itself, would be deeply resented by the Portugueze. An image of St George, which is held in such reputation, that the last king of Portugal had it in bed with him when he died, is one of the most conspicuous personages in the pageantry. The

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figure appears on one of the most beautiful horses which can be procured, and which used to be preserved for this single purpose. Junot, however, had taken St George's horse for himself, and rode it every Sunday, when he reviewed his troops. In the midst of the procession, some rogues were detected in picking pockets, and, in effecting their escape, a cry was raised that the English were landed. The crowd instantly dispersed; and the French could not but perceive that more alacrity than alarm was manifested at the rumour. Tidings were now arriving of insurrections in every part of the country; and, on the following day, Junot issued a proclamation, in his usual style of shameless effrontery and ferocity. He asked the Portugueze, what madness possessed them?—what reason they could have, after seven months of the most perfect tranquillity, to take up arms? and against whom!—against an army who would insure their independence, and maintain the integrity of their country!—Was it their wish, then, that the ancient Lusitania should become a province of Spain? What could they hope against a numerous army, valiant, and inured to war, before which they would be dispersed as the sand of the desert, when it is impetuously blown on by the winds of the south? Could they regret a dynasty which had abandoned them, so that they were no more to be counted among the nations of rank in Europe? What more could they desire than to be Portugueze, and independent? and this the great Napoleon had promised them. They themselves had asked him for a king, who, under the protection of that all-powerful monarch, might recover their unhappy country, and restore it to its rank. At this moment their new monarch was expecting to approach them, and, instead of faithful subjects, he would find nothing but rebels! "I hoped," said Junot, "to place him in a peaceable kingdom, and am I to show him nothing but ruins and graves? Will he reign in a desert? assuredly not; and you will not be anything but a wretched province of Spain.—Your customs and laws have been maintained, your holy religion, which is ours also, has not suffered the least insult; it is you who violate it, suffering it to be influenced by heretics, who only wish for its destruction. Ask the unhappy Roman Catholics of Ireland under what oppression they are groaning! If these perfidious islanders invade your territory, leave them for me to fight;—your part is to remain peaceably in your fields."

He then attempted to sooth them, saying, that if any abuses in the administration still existed, every day's experience would diminish them. One interesting part of the finances he had just modelled, in assuring their pay to the soldiers; and the salaries of the administrators and judges were also regularly paid. The Emperor Napoleon, satisfied with the reports which he had received of the public spirit, had presented the people with half the contribution, (that is, it was found impossible to collect more than had already been exacted.) He would now fulfil all their wishes. Why then would they let themselves be dragged on by the influence of a banditti, at the very moment when they should be happy? "Portugueze," said he, "you have but one moment to implore the clemency of the emperor, and disarm his wrath. Already the armies of Spain touch your frontiers at every point;—you are lost if you hesitate. Merit your pardon by a

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quick submission, or behold the punishment that awaits you! Every village or town in which the people have taken up arms against my army, and the inhabitants of which have fired upon my troops, shall be delivered up to pillage, and entirely destroyed, and the inhabitants shall be put to the sword. Every individual found in arms shall be shot in the field." It is only in the performance of such threats as these that the generals of Buonaparte keep their word.

On the day of the Corpo de Deos, also, the insurrection began in Algarve. Here, where the commotions in Andalusia could not possibly be concealed from the people, an edict was fixed up in all the towns, calling upon the Portugueze to take arms against the Spanish insurgents. This was done on the day of the festival, in the little town of Olhao, a place inhabited by seafaring men, about a league from the city of Faro. Jose Lopes de Sousa, a colonel in the Portugueze army, happening to come to Olhao, tore down the edict, and turning round to the people, who silently witnessed what he had done, exclaimed to them, "Ah Portugueze, we no longer deserve that name, and we are now nothing!" But they answered that they were still Portugueze, and ready to lay down their lives for their religion, their prince, and their country. The revolution was immediately begun: a meeting was held in the church, and Jose Lopes chosen to command them: they then took the artillery from the little fort of Armona, upon the coast, and made preparations to defend the town, knowing that the French in Faro would attack it, as soon as they heard what had past.

General Morain, the French governor of Algarve, resided at Faro, and, on the following day, he sent a detachment to invest Olhao. They were driven back, with some loss; and they revenged themselves by killing a few persons who were in the fields,—too old or too young to be employed in bearing arms. One of these was a man who had passed his hundredth year. Reinforcements were sent from Faro: the inhabitants of that city took advantage of the absence of these troops; a countryman put himself at their head; they overpowered the remainder of the garrison, now reduced to 170 men, and made them prisoners, together with the general. The national flag was hoisted, all ranks rallied round it; the clergy and the religioners took arms; and an oath was taken, that they would, to the last drop of their blood, defend the rights of the house of Braganza. The French returned from Olhao, to secure Faro, and were driven off by the artillery: they then retreated about a league inland, toward the mountains. But, by this time, the whole country was rising against them; and they fled to Mertola, where there was a division destined, with the troops from Algarve, to enter Spain, and succour Dupont: a measure which this insurrection, and the movements of General Spencer, frustrated. The countryman who had so successfully exerted himself at Faro now hastened upon a patriotic mission to Loule, Albofeira, Sylves, Alvor, Lagos, and other towns;—the French and their most notorious partizans were made prisoners in every place, and in eight-and-forty hours the whole province of Algarve had recovered its liberty.

Other parts of Portugal were less fortunate in asserting their rights. The open and level country of Alen-

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tejo was peculiarly unfavourable to a war carried on by peasantry and townsmen, against a regular force of horse and foot; and here Junot's threats were carried into full execution. Two hundred persons were killed in the streets of Villa Viçosa; they were pursued into the country, where a great number of them, in the words of Junot's official account, suffered the punishment due to their crimes; and twelve, who were made prisoners, were condemned, and shot, as rebels. Six thousand Portugueze attempted to defend the city of Beja, and how bravely they defended it may be understood from the admission of the French,—that they did not give way till 1200 of them were left on the field. No quarter was given; every man taken with arms in his hands was put to the sword; every house from which resistance had been made was burnt, and the city given up to the soldiers. A battle was fought before Evora, with the same result; inevitable, under such circumstances. Above an hundred Spaniards, who were discovered among the prisoners, were immediately put to death; and the same horrors which had reduced Beja to ruins were repeated here. Similar horrors were perpetrated to the north of Lisbon: towns and villages were burnt, priests murdered at the altar, nuns violated in their convents, and scarcely a female above twelve years of age escaped the brutality of these accursed ruffians. Six hundred patriots fell near Leiria, above a thousand before Guarda,—not put to death in flight, but falling bravely upon the field of battle. "The insurgents," said the French, in their official account, "have left at least 13,000 dead in the field." "It is thus," the French writer continued, "that deluded men, ungrateful children as well as culpable citizens, exchange all their claims to the benevolence and protection of government for misfortune and wretchedness; ruin their families; carry into their habitations desolation, conflagrations, and death; change flourishing cities into heaps of ashes, and into waste tombs; and bring on their whole country calamities which they deserve, and from which (feeble victims!) they cannot escape. In fine, it is thus, that, covering themselves with opprobrium and ridicule, at the same time that they complete their destruction they have no other resource but the pity of those whom they have wished to assassinate,—a pity which they never have implored in vain, when, acknowledging their crimes, they have solicited pardon from Frenchmen, who, incapable of departing from their noble character, are ever as generous as they are brave."—"To be the victim," says Mr Wordsworth, in that strain of profoundest feeling and philosophy by which his higher compositions are so eminently distinguished, "to be the victim of such bloody-mindedness is a doleful lot for a nation; and the anguish must have been rendered still more poignant by the scoffs and insults, and by that heinous contempt of the most awful truths, with which the perpetrator of those cruelties has proclaimed them. Merciless ferocity is an evil familiar to our thoughts; but these combinations of malevolence historians have not yet been called upon to record; and writers of fiction, if they have ever ventured to create passions resembling them, have confined, out of reverence for the acknowledged constitution of human nature, those passions to reprobate spirits. Such tyranny is, in the

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strictest sense, intolerable; not because it aims at the extinction of life, but of every thing which gives life its value,—of virtue, of reason, of repose in God, or in truth."

Such was the state of Portugal at the time when the patriots in Andalusia were pressing on Dupont, when the intruder was advancing to Madrid, and when Palafox was so gloriously defending the streets and houses of Zaragoza. There was no force which could withstand the French in battle, with any reasonable hope of success; yet neither the slaughter which was made among them in the field, nor the massacre which took place upon the fugitives, nor the murders which were committed upon the prisoners, could break the spirit of the Portuguese. The enemy were masters only of as much country as they could over-run, and even there their small parties were cut off, and every straggler put to the death which he deserved. As soon as the French departed from the solitude which they had made, they who had escaped collected again, and again renewed the war, which they were the better enabled to do, because the Spaniards along the whole line of frontier, not having an immediate enemy, were enabled to afford assistance. Thus the unconquerable spirit of the patriots in Estremadura and Alentejo, notwithstanding the carnage * which was made among them, prevented Junot from sending forces to Porto and to Algarve.

These transactions in Spain and Portugal excited the deepest interest in the English people, not so much for the hope, which had thus unexpectedly arisen, of advantages to England, and to the general welfare of Europe, as for the nature of the contest, their detestation of the unequalled iniquity by which it had been provoked, and their sympathy in the instinct and principle by which it was carried on. Every day seemed lost till an army of our own should be cooperating with men engaged in a cause so sacred, so congenial to the feelings of a Briton. Such was the eagerness to participate in the glorious struggle, that the militia almost universally offered themselves for foreign service, and the country called for an effort equal to the occasion, which, had it been made, would, according to all reasonable calculation of success, have completed the work that had now been begun, and, in all human probability, have destroyed the fortune of Buonaparte. That this effort was not made, is not exclusively imputable to the English cabinet, deficient as it unfortunately was, both in foresight and in vigour. The juntas preferred assistance in money and supplies to an auxiliary force, foreseeing the danger, that mutual dislike would arise between combined armies, whose habits and

* Yet it has been said that the Portugueze resigned themselves to their fate without a struggle! that nothing was sufficient to rouse them!—that they murmured French oppression, but bore it. Against these extraordinary charges, made by an ficer in Sir J. Moore's expedition, the authority of Sir A. Wellesley may be quoted. his dispatches of August 8th, he says, "The whole kingdom, with the exception of e neighbourhood of Lisbon, is in a state of insurrection against the French: their eans of resistance are, however, less powerful than those of the Spaniards. Their oops had been completely dispersed, their officers had gone off to Brazil, and their enals pillaged, or in the power of the enemy; and their revolt, under the circumnces in which it has taken place, *is still more extraordinary than that of the Spanish nation.*"

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prejudices were so widely dissimilar, and perhaps also having an undue confidence in their own strength. In Portugal, however, our aid was needed; and it was not doubted that, when the deliverance of that kingdom was completed, a plan of co-operation with the Spaniards might be arranged.

A rumour was thrown out, that the Duke of York would take the command upon this expedition:—the manner in which it was received curiously discovered the general feeling. By those writers who were the avowed political enemies of the duke, the keenest and most stinging sarcasm was employed:—others, who maintain for their journals a character of uniform decorum, gravely deprecated the thought of exposing one of the royal family, and warned ministers against consenting to such an appointment, as if, upon these grounds, it were a crime. The sound constitutional plea was urged by others, that if a prince were employed, there could be no actual responsibility, and responsibility ought to be inseparable from command. There was not, perhaps, any point upon which the whole nation so entirely accorded in opinion. An expedition had been preparing at Cork, which, as different prospects opened upon us, had been supposed to be destined, at one time for Ceuta, at another, for South America. The destination was now fixed for the peninsula, and the command was given to Sir Arthur Wellesley,—an appointment not less grateful to the army than it was to the people.

A general order which was issued to the army at this time, however unsuitable it may appear to the dignity of historical narration, is yet too characteristic to be omitted. The commander-in-chief gave notice that his majesty had been graciously pleased to dispense with the use of queues until farther orders; and the officers were directed to take care that the men's hair should be cut close to their necks, in the neatest and most uniform manner, and that their heads should be kept perfectly clean, by combing, brushing, and frequently washing them; for which latter essential purpose, it was his majesty's pleasure that a small sponge should hereafter be added to each man's regimental necessaries. Such orders, issued at such a time, indicate by what kind of spirit the military system of Great Britain was regulated. They excited the scorn of many persons, the wonder of all: they who felt the deepest interest in the honour of the country, and in those principles the immediate fate of which seemed to depend upon the issue of this war, regarded them with shame and sorrow, as matter of mockery for the enemy, and of evil omen for ourselves.

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CHAP. XIX.

Sir Arthur Wellesley's Campaign in Portugal. Battle of Vimiera. Armistice and Convention of Cintra. General astonishment and indignation of the People of England. Proceedings at Lisbon. Public Meetings in England. Court of Inquiry.

Sir Arthur Wellesley, having about ten thousand men under his command, sailed from Cork on the 12th of July, and leaving the fleet as soon as he had seen it clear of the coast, to make its way for Cape Finisterre, he himself made all sail, in a frigate, for Coruna, and arrived there on the 20th. There the junta of Gallicia informed him of the battle of Rio Seco, and that the French, being, in consequence, masters of the course of the Douro, were enabled to cut off the communication between that province and the country to the south and east. The French in Portugal were estimated at 15,000, of whom twelve were supposed to be at Lisbon: and he was told that the Portugueze troops at Porto amounted to 0,000, and that a Spanish corps of 000 had begun their march for that city on the 15th, and were expected to arrive there about the 25th. Sir Arthur consulted with them concerning the immediate employment of his army. They explicitly stated that they were in no need of men, but wanted arms, ammunition, and money:—this latter want was relieved by the arrival of £200,000 from England, that very day. They strongly recommended him to employ his forces against Junot, because while his army remained unbroken, the Spaniards could never make any simultaneous effort to drive the French out of the peninsula; and they advised him to land in the north of Portugal, that he might bring forward and avail himself of the Portugueze troops in that quarter.

Accordingly Sir Arthur sailed for Porto, ordering the fleet to follow him. He arrived there the 24th, and had a conference that night with the bishop and the general officers. From them, and from Lieutenant-colonel Browne, who had previously joined them, he learnt that the regular Portugueze troops who had been collected amounted to 5000 men, and were posted at Coimbra; that there were about 1200 peasants in advance, and a corps of 2500 Portugueze and 300 Spanish infantry at Porto, besides volunteers and peasants; but all were badly equipped and armed, the peasantry having only pikes. It was concerted that the 5000 should co-operate with him, and the remainder with the Spanish

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corps, then on its way from Galicia, and that the peasantry should be employed, part in the blockade of Almeida, part in the defence of Tras os Montes, which province was supposed to be threatened by Bessieres, in consequence of his victory at Rio Seco.

Here Sir Arthur received a letter from Sir Charles Cotton, advising him to leave the troops either at Porto or at the mouth of the Mondego, and proceed to communicate with him off Lisbon. The fleet accordingly was ordered to Mondego Bay, and the general proceeded to confer with Sir Charles. There he found dispatches from General Spencer, stating that he had landed his corps in Andalusia, at the request of the junta of Seville; but that he had resisted the applications made to him to join Castanos, thinking it advisable to preserve his force unbroken, to act with Sir Arthur. He had, however, consented to take up a position at Xeres, where he might serve as a point of support for Castanos, in case of defeat, and from whence he could reimbark in eight-and-forty hours. He supposed that Sir Arthur would begin his campaign at Cadiz, implying an opinion that Dupont could not be defeated without English assistance. Sir Arthur, however, being convinced by the junta of Galicia that his army would be employed with more advantage to the common cause against Junot, ordered General Spencer to join him off the coast of Portugal, unless he should be actually engaged in operations which he could not relinquish without loss to the Spaniards.

General Spencer represented Junot's force as exceeding 20,000 men: the admiral, according to the reports of the Portugueze, estimated them at less: Sir Arthur concluded that they were from 16 to 18,000, of whom about 12,000 were at Lisbon, and in its vicinity, and 2400 at Alcobaça. Any attempt at landing in the Tagus was considered impracticable: it would be equally so at Cascaes: it was at all times difficult to land an army in the small bays near the rock, now especially dangerous in the neighbourhood of the enemy. Peniche was garrisoned by the French. There was therefore no choice but to disembark in the Mondego. Thither Sir Arthur returned. He rejoined the fleet there on the 30th, and there he found intelligence of the defeat of Dupont, and advice from his own government, that he would be reinforced immediately with 5000 men, under Brigadier-general Auckland, and afterwards with the 10,000 who had been under Sir John Moore in Sweden, the command being vested in Sir Hew Dalrymple. He also received accounts that Loison had been detached from Lisbon, to open the communication with Elvas, the patriots in Alentejo having been joined by about a thousand men from the Spanish army of Estremadura, and being now formidable.

This latter account made him conclude that there was no danger of being attacked by superior numbers before the arrival of his reinforcements; and he began to disembark on the first of August. The weather was so little favourable, and the surf so high, that the whole of the troops were not landed till the 5th, and on that day General Spencer arrived, his corps following him the next. He had embarked immediately upon learning the surrender of Dupont, not waiting for instructions. This corps was disembarked on the 7th

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and 8th, on which night the whole army were in readiness to advance: the march of the main body was, however, delayed till the 10th, at the desire of the Portugueze general officers. Sir Arthur conferred with them at Montemor o Velho, and arranged the plan of operations: he armed and inspected their troops, recommended and superintended their organization, and offered as large a sum as his military funds could afford, to defray the expences of their equipment:—this, however, was declined by their officers. While the troops were landing, four companies of Portugueze cavalry arrived at Coimbra, having effected their escape from Lisbon. This hazardous attempt was planned and conducted by Feliciano de Carvalho. A serjeant, by name Gamboa, as soon as their flight was discovered, was dispatched to the French commander at Santarem, with orders to intercept and make an example of them, according to the atrocious system of these barbarians. Gamboa, however, with the party under his command, followed and joined his countrymen; and they accomplished their dangerous march in safety.

Sir Arthur determined to march along the road nearest the sea, for the sake of communicating with the fleet of store-ships; but as this communication must needs be very precarious, both as depending upon the state of the surf, and also because the army might find it expedient to strike more into the country, arrangements were made for taking with them sufficient stores to last till they should reach the Tagus. The advanced guard marched on the 9th, supported by the brigades under Generals Hill and Ferguson. Laborde and Thomiere had collected their corps, to the amount of from 5 to 6000 men, in the neighbourhood of Leiria; they threatened the magazines formed in that city for the Portugueze army; and Sir Arthur was urged to advance as speedily as possible, for the sake of preserving them. The main body followed on the 10th: on that day Sir Arthur received advices from Coruna, informing him that neither Blake nor Cuesta was in a condition to act offensively against Bessieres, nor to follow him, if he should enter Portugal. But at the same time news arrived of the flight of the intruder from Madrid; and Sir Arthur perceived that Bessieres would be more solicitous to cover his retreat towards the French frontier, than to attempt a diversion in favour of Junot. At all events, there was time enough for his operations against the latter before the former could possibly arrive; and it was to be expected that General Auckland, or Sir John Moore, would land before Bessieres could come up. These advices, therefore, only determined him to follow up the plan of operations which he had concerted with the utmost celerity. On the 11th, the main body joined the advanced guard at Leiria, and the next day the Portugueze force, consisting of 6000 men, including 600 cavalry, arrived, the whole force being now collected there.

Loison, meantime, having added to his force about 1000 men, from the garrison of Setubal, had again over-run Alentejo, dispersed the small detachment of the Spaniards which had entered that province, perpetrated fresh slaughters at Evora, re-victualled Elvas, then, turning back, crossed the Tagus, by the bridge of boats, at Abrantes, and arrived at Thomar on the same day

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that the main body of the English reached Leiria, the two cities being about 30 miles from each other. Laborde was at Alcobaça, six leagues from the latter city, on the road to Lisbon. Their object had been to join at Leiria, but in this the British army had anticipated them. Bernardino de Freire, the Portugueze general, in his former conferences with Sir Arthur, had expressed a wish that the British commissariat would supply his troops with British stores during the campaign. The impossibility of complying with so unreasonable a demand was pointed out; and Sir Arthur observed, that it was a new thing to require any army landing from its ships to supply not only its own consumption of meal, but also that of the native army which it was come to assist. He added, however, that he did not expect to have occasion to call upon the country for bread during his march towards Lisbon, but that beef, wine, and forage would be required, all of which the bishop of Porto had engaged should be supplied. Notwithstanding this explanation, General Freire renewed the subject on his arrival at Leiria, and, instead of pursuing his march, the following morning, at the hour appointed, he sent a message to the British commander, saying, that unless the Portugueze were to be fed by the English commissariat, he would separate them from the English army, and march for Santarem, by way of Thomar; urging as his reason, that supplies would be scarce on the straight road, but here there was great plenty, and he should also be in a situation to cut off the retreat of the French from Lisbon. Freire had voluntarily placed himself and his troops under Sir Arthur's command only the day preceding.

The danger of the plan was pointed out to him, but in vain: Sir Arthur urged him, equally in vain, to co-operate with the British army in the deliverance of Portugal, if he had any regard to his own honour, to the honour of his country, or of his prince: —he then requested him to send him 1000 infantry, with all his cavalry and light troops, engaging to feed them; and this was done. He advised him, at all events, to remain at Leiria, or Alcobaça, or any where in the rear of the English, that his troops might not be unnecessarily exposed to destruction; but notwithstanding he was now assured that the English general had found resources in the country fully adequate to their subsistence, he said he should persist in his plan. Sir Arthur, considering it of importance, on political grounds, that the Portugueze troops should accompany his march, would have undertaken to feed them, if he could have relied upon his commissariat; but this, he complains in his dispatch, was so ill * composed, as to

* Sir Arthur, upon the court of inquiry, begged leave, in justice to the individuals composing this commissariat, to state, that he did not intend to complain of their want of zeal in this service, nor of any deficiency of exertion on their part. "The fact is," said he, "that I wished to draw the attention of the government to this important branch of the service, which is but little understood in this country. The evils of which I complained are probably to be attributed to the nature of our political situation, which prevents us from undertaking great military operations, in which the subsistence of armies becomes a subject of serious consideration and difficulty; and these evils consisted in the inexperience of almost every individual be-

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be incapable of distributing, even to the British troops, the ample supplies which had been procured for them. Freire's conduct was imputed to an opinion that the English were too weak for the service upon which they were advancing: his after conduct was not such as to remove this suspicion. He was, however, wise enough to follow the advice which he had refused, and remained at Leiria.

On the 14th, Sir Arthur reached Alcobaça, from which the French fell back the preceding night: the next day he arrived at Caldas. La Borde and Thomiere were now at Borcia, about ten miles off, with 4000 men, and their advanced posts were at Brilos, within a league of Caldas. Orders were given to drive them from this village. Four companies of riflemen marched upon this service: they were tempted to an incautious pursuit: a superior body of the enemy endeavoured to cut them off, and would have succeeded, had not General Spencer come to their support. A trifling loss was sustained in this affair, but the village was won, and the French retired entirely from the neighbourhood; their picquets having been driven from Obidos. Two days afterwards, they were attacked in their position at Roleia. This little town stands at the entrance of the mountainous country; and Laborde had posted himself strongly on the heights, and in the passes so judiciously, that superior numbers could not be brought against him. But notwithstanding the strength of the position, it was forced. This victory was purchased at the loss of 479 men, killed, wounded, and missing: the Hon. Col. Lake was among the slain. The loss of the enemy was very great: they left three pieces of cannon to the conquerors, but they effected their retreat in good order. During the action, Sir Arthur learnt, from a French officer who was mortally wounded, that their numbers were 6000, and that they had stood the attack expecting to be joined by Loison that day at noon. The junction was formed that night; and the united corps retired beyond Torres Vedras, which was ten miles from the field of battle, towards the Cabeça de Montichique, a mountain half way on the road between that city and Lisbon.

Sir Arthur was beginning his march for Torres Vedras on the morrow, *Aug.* 18. when he received advices that General Anstruther was arrived on the coast. His original intention had been to employ this general's brigade, and that of General Auckland, in besieging Peniche, if that should be necessary; otherwise, to land them in some of the bays near the rock, in the rear of the enemy, while he prest upon their front. But the resistance which he had experienced at Roleia, and his disappointment of any co-operation from Freire, induced him now to land General Anstruther's troops, and join them to the army. He marched therefore to the village of Vimiera, that being the position best calculated to effect his junction, and, at the same time, a march in advance. Calms prevented the fleet, which was anchored off the Berlings, from standing in, till the

longing to the commissariat, of the mode of procuring, conveying, and distributing supplies." He requested that this explanation might stand upon the minutes.

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evening of the 19th. The brigade was then landed in Peniche Bay, upon a sandy beach, at the foot of a cliff almost perpendicular, the ascent of which is exceedingly steep and difficult. A body of French dragoons were sent to attack them on their march; but against this danger due precautions had been taken. Having advanced about three leagues, as far as Lourinha, they found a detachment, under General Spencer, waiting to receive them, and took their position in the advanced guard.

Aug. 20.

The French army, meantime, had assembled about Torres Vedras; the advanced guard, under Junot, in person, having taken up a strong position in front of the town, and the main body, under Laborde and Loison, being strongly posted behind it. Their cavalry, during this and the preceding day, were very active: they covered the whole country; and Sir Arthur could gain no detailed information of the enemy, except that their post was very strong, and occupied by their whole force. On the 20th, at noon, news arrived that General Auckland was in the offing; and, in the evening of the same day, Sir Harry Burrard arrived in Maceira Roads, to take the command. Sir Arthur's plan had been to march on the following morning, push his advanced guards to Mafra, and halt the main body about four or five miles from that place, thus turning the enemy's position at Torres Vedras. He was in possession of an excellent map of that part of the country, and topographical accounts, which had been drawn for Sir Charles Stuart, during his command in Portugal. The battle would thus be fought in a country of which he had adequate knowledge; and he hoped to enter Lisbon with the retreating or flying enemy. Orders had been issued for this march; but the arrival of the new commander disconcerted the plan: the orders were consequently recalled: and had it even been otherwise, they would have been prevented; for Junot, who had procured better intelligence than his antagonist, brought his whole force to attack him, before farther reinforcements should arrive.

Vimiera stands in a lovely valley about three miles from the sea, and screened from the sea breezes by mountains, through which the little river Maceira winds its way. The western termination of these mountains reaches the shore, the eastern is separated by a deep ravine from the heights, over which the road passes from Lourinha. The greater part of the infantry were posted on these mountains, with eight pieces of cannon; Major-general Hill's brigade being on the right, and Major-general Ferguson's on the left, having one battalion on the heights beyond the ravine. A hill on the south-east of the village commands all the ground to the southward and eastward, being itself commanded from the mountain to the west. This hill was occupied by Brigadier-generals Fane and Anstruther. The left of this hill was commanded from the heights over which the road to Lourinha passes; and that position was only occupied by a picquet, as the camp had been taken up for only a single night. The cavalry and the reserve of artillery were in the valley, flanking and supporting Brigadier-general Fane's advanced guard.

About eight in the morning of the 21st, large bodies of the enemy's cavalry appeared upon the heights to the left, threatening the weak part

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of the British position. Four brigades, under Major-general Ferguson, were immediately moved across the ravine. The attack began upon the advanced guard, where the French were bravely received. General Auckland, with the last of the four brigades which had been ordered to the heights, attacked them in flank on his way; and, after a desperate contest, they were driven back, with the loss of seven pieces of cannon. A detachment of the 20th light dragoons pursued them; but the enemy's cavalry were so superior in number, that this party suffered severely, and their commander, Lieutenant-colonel Taylor, fell. The attack was commenced about the same time on the Lourinha heights: it was made with the usual impetuosity of the French, and supported by a large body of horse. Our riflemen were driven in; but General Ferguson's division received the enemy with a tremendous volley, and brought them to the bayonet. They were the flower of the French army; and they came up to the charge like men accustomed to victory;—but no troops, however disciplined, however brave, however accustomed to victory, have ever withstood the charge of the British bayonet. In one moment their foremost rank fell, like a line of grass before the scythes of the mowers: the very men whose superiority was thus so decidedly proved, could not speak without an involuntary feeling of awe of so complete and instantaneous a destruction,—produced, as it was, not by artillery or explosions, but by their own act and deed, and the strength of their own hands. The French gave way; and six pieces of cannon were taken from them in the pursuit. They made a vigorous attempt, under General Kellerman, to recover these afterwards, from the 71st and 82d regiments, which were halted in the valley where these guns had been taken. These regiments retired from the low ground, and having reached the heights, halted, faced about, and, in their turn, attacked the enemy, now in the valley, from whence they drove them with great loss. The French general Bernier was wounded in this action, and in danger of being put to death by those into whose hands he had fallen, when a Highland corporal of the 71st regiment, by name Mackay, came up, and rescued him. The French general, in gratitude for this preservation, or, not improbably, chusing to appear grateful, by giving what he expected would be taken, offered him his watch and purse,—which Mackay positively refused to accept. When he had delivered his prisoner, in safety, to Colonel Pack, the French general could not help exclaiming, in astonishment, "What sort of man can this be? he has done me the greatest service, and yet refuses to take from me all the reward I can at present offer him!" Colonel Pack answered, "We are British soldiers, sir, and not plunderers." Mackay had his reward:—By Sir Arthur Wellesley's express desire, he was immediately made a serjeant; and the Highland Society, at their next meeting, voted that a gold medal, with a suitable device and inscription, should be presented him, as a mark of the sense which they entertained of his meritorious conduct. The society rewarded, at the same time, the behaviour of another countryman, who distinguished himself as honourably at the battle of Vimiera. His name was Stewart, and he was piper to the grenadier company of the same

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regiment. Early in the action, he received a dangerous wound in the thigh:—thus rendered unable to accompany his regiment, he would not be carried off the field, but, sitting down * where his comrades might hear him, he placed his pipes under his arm, and continued playing warlike airs till the end of the engagement. A handsome stand of Highland pipes, with an inscription commemorating the manner in which he had deserved the donation, was voted him by his country society.

Most of the wounded French who fell into the conquerors' hands were young men, and of delicate appearance,—apparently men whose lot would not have fallen in the army, under any other system than that of the conscription, though, having been forced into it, they had acquired the worst vices which have ever disgraced and degraded the profession of arms. They were dressed in long white linen coats and trowsers, their firelocks were about six inches longer in the barrel than ours, their bayonet about three shorter, the locks of their pieces much better finished, and the pans so constructed, that the powder is not liable to fall out,—an accident which often happens to ours. Mr Ormsby, the chaplain on the staff of the British army, as he was endeavouring to render assistance to some of them, while under the surgeon's hands, addressed himself to one in the language of commiseration, and uttered, at the same time, a natural expression of regret at the horrors of war. The maimed tyger answered him, with a mixture of pride and indignation, that he gloried in his wounds, and that war was the greatest happiness of life. During the whole day the armed peasantry were prowling about the field, taking vengeance upon every wounded or straggling Frenchman whom they could find, for the manifold wrongs of their country, and the aggravated injuries which they had endured. So conscious indeed were the prisoners of the little mercy which they deserved at their hands, that they dreaded lest they should break in upon them, and massacre them all; and a guard was stationed to protect them. The peasantry, however, passed the night in the field, carousing round a large fire, recounting to each other what they had done, and rejoicing over the day's work. The total loss of the enemy in the action was about three thousand in killed and wounded, thirteen pieces of artillery, and twenty-three ammunition waggons: that of the English seven hundred and twenty. The French were superior, both in cavalry and artillery; and the admission of Sir Arthur Wellesley, that the whole of their force was employed, while not more than half the British army was engaged, implies that the superiority of skill was on their side also. Nevertheless, the victory was decisive; and, had it been duly followed up, the most splendid and important consequences must have resulted.

Sir Harry Burrard had joined the army on the morning of the battle, after the dispositions were made, but before the action was begun:—with a feeling of delicacy towards Sir Arthur, honourable to himself, he declined assuming the command till that general should have completed

* *Weel, my bra' lads, I can gang nae farther wi' ye a-fighting; but deel ha'e my saul if ye sal want music,*—were his words.

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an operation which he had so well begun. About the close of the action, however, Sir Arthur came up to him, and proposed to pursue the enemy. They had had a conference, the preceding night, on shipboard, and Sir Harry had then resolved to wait for the expected reinforcements before he advanced, in consideration of the strength of the enemy, his power of better equipment than the English possessed, his great superiority of cavalry, the almost total want of it in the British army, the reinforcements which he could draw, with ease and safety, from his head-quarters, and the impossibility of advancing into the country, at a distance from the victuallers. The victory which he witnessed had no effect upon his pre-concerted plan:—he replied, that he saw no reason for altering his former resolution of not advancing, and that the same reasoning which before determined him to wait for the reinforcements, had still its full force in his judgment and opinion. At this moment the enemy were retiring, evidently in great disorder, and most completely disheartened by their defeat. Sir Arthur did not press his opinion: his reputation, his past victories, his immediate success, would have justified him in pressing it; the glory of his country, and the common interests of England, Portugal, and Spain, required that he should have pressed it with ardour. Whether the deference due to superior rank, in this instance better forgotten, or an angry dissatisfaction, that he should have been superseded at such a moment, prevailed over feelings more generous, as well as more natural, and a wiser sense of duty,—he submitted his judgment, and the irrecoverable opportunity was let pass. Nelson would have acted otherwise: it was by wearing without orders that he obtained the great success of the battle of Cape St Vincent; it was by continuing the action, in disregard and disobedience of orders, that he saved the British fleet at Copenhagen, and dictated terms to Denmark.

On the following morning, Sir Hew Dalrymple arrived, to supersede Sir Harry Burrard; so that the British army had three commanders-in-chief within four-and-twenty hours. He landed, according to his own account, entirely unacquainted with the actual state of the French army, and many circumstances of a local and incidental nature, necessarily of great weight in deciding what measures should be pursued. A few hours after his arrival, General Kellerman appeared, with a flag of truce from Junot, in order to propose a cessation of hostilities, during which a convention might be concluded for the evacuation of Portugal by the French. An armistice was soon concluded, upon the following terms:—that the river Sisandre should be the line of demarcation between the two armies, and that neither of them should occupy Torres Vedras: that the English general should bind himself to comprehend the armed Portugueze in the truce; and that their line of demarcation should be from Leiria to Thomar: that it was agreed that the French army should in no case be considered as prisoners of war; that all the individuals of it should be transported to France with their arms and baggage and private property, and that they should be deprived of no part of it whatsoever: that no individual, whether Portugueze, Frenchman, or of a nation allied to France, should be molested for his political conduct,

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but should be protected, both in person and property, and have liberty to retire from Portugal within a limited time, with all his effects: that the neutrality of the port of Lisbon should be acknowledged for the Russian fleet; that is to say, that, when the English army and fleet should be in possession of the city and port, the said Russian fleet should neither be disturbed during its stay, nor stopped when it might choose to depart, nor pursued when it had sailed, till after the time fixed, in such cases, by maritime law: that all the French artillery, and all their cavalry horses, should be transported to France.*

The defect of judgment, in not pursuing the victory of Vimiera, was not imputable to Sir Arthur Wellesley; but he was chargeable with the far more grievous fault of having formed, or rather submitted to, this fatal armistice, of which every article was palpably dictated by the more able Frenchman. The definitive convention which followed was even more scandalous; it was more favourable to France, more disgraceful to England, more injurious and unjust to our allies; for not only was there an express article, declaring, that if any doubts arose as to the meaning of any point of the treaty, it should be explained favourably to the French; not only was there the same stipulation that the French army should carry with it all its equipments and property, and that all individuals of that army should be at liberty to dispose of their private property, of every description, with full security hereafter for the purchasers;—but the whole of the French exactions and confiscations, committed upon the Portugueze and the English settlers in Portugal, were sanctioned by the British generals, in an article, which stated, that such arrears of contributions, requisitions, and claims of the French government, against subjects of Portugal, or any other individuals residing in the country, which had not been paid up to the date of this convention, were cancelled; the necessary consequence of such an article being, that their right to all which they had already extorted was acknowledged, and the possession thereof secured to them. By another article, the Portugueze traitors were not only promised indemnity, but even placed under the protection of the British commanders. Liberty was given them to retire into France, if they pleased; that is, liberty was secured for them to remain in Portugal, if they thought they could be more serviceable to France there, and assist in betraying it a second time. And because the Spanish troops detained on shipboard in the Tagus were to be set free, the British commander-in-chief engaged to obtain of the Spaniards to restore all such French subjects in Spain as had been imprisoned, not having been taken in † battle. The article in the armistice concerning the Russian fleet, Sir Charles Cotton absolutely refused to ratify; yet he consented to terms of which all that can be said is, that they were only not as disgraceful as the former. He agreed that the ships should be held as a deposit by England, to be restored to the czar within six months after the conclusion of a peace between Russia and Great Britain, and that the admiral, with all the officers, seamen, and marines, should be conveyed

* Appendix, No. XXXVII.

† Appendix, No. XXXVIII.

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home in men of war, or proper vessels, at the expence of his Britannic majesty, without any condition or stipulation respecting their future *services. The intimate connection which had so lately subsisted between the courts of London and Petersburgh, and the personal regard which the British admiral entertained for Admiral Siniavin, were assigned, by Sir Hew Dalrymple, as reasons why an understanding acceptable to both nations should be accepted. Certainly it became us to manifest every mark of personal respect towards the Russian officers, because, though the want of principle and judgement in their sovereign had involved the two countries in war, there existed no hostile feelings nor jarring interests between them; and the wishes of both were for a renewal of that long established intercourse which was beneficial to both: and it also behoved us especially to show ourselves grateful for the protection which the Russians had afforded to the English and Portugueze refugees, and the facilities which they had given them of effecting their escape. These were personal favours, for which the obvious personal return would have been, immediately to have liberated the officers, on their parole, and to have shown every courtesy by which the evils of hostility can be mitigated. But to talk of personal regard between the two admirals as influencing the terms of capitulation, was a thing as unheard of as the terms themselves. Hold in deposit!—the phrase had never before been known in the British navy: they knew what it was to fight their enemies, they knew what it was to beat, to capture, to sink, burn and destroy them, according to the spirit and letter of their instructions. This was what the navy said; this was what the nation said; and the bitter reflection occurred to both, how would Nelson have received such a proposal!

Sir Arthur Wellesley's account of the battle reached England a fortnight before the armistice and convention arrived. The account was neither clear nor satisfactory; nevertheless, his declaration that the enemy had suffered a signal defeat, confirmed, as it was, by tidings, at the same time, that the French had proposed to evacuate Portugal, filled the whole nation with joy; and the news of Junot's unconditional surrender was expected, as what must certainly ensue. When the terms of the convention arrived, the ministry ordered the Park and Tower guns to be fired, as if it had been matter of rejoicing. Never did any ministry so completely mistake the temper of the public; and never was any public feeling so unanimously and so instantaneously manifested, as the indignation of all England at these unparalleled terms of advantage conceded to a beaten enemy,—and to such an enemy!—an enemy, who, having entered Portugal without any formalities or pretext of war, but with professions of peace, had reduced it to the state of a conquered country, and exercised oppressions, and committed atrocities there, to which no conquered country in Europe, since the barbarous ages, has been subjected, and who, having thus outlawed themselves by their crimes, were to be regarded as banditti and buccaneers, not as honourable soldiers. Great Britain had had its share of disaster and disgrace: the capitulations of

* Appendix, No. XXXIX.

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the Helder and of Buenos Ayres were remembered; but they were remembered as less shameful than the convention of Cintra; and it was universally felt that no former transaction had ever so fatally blasted the hopes of the country, or inflicted so deep and mortal a wound upon its honour. Nothing else could be talked of, nothing else could be thought of: men greeted each other in the streets with execrations upon those who had signed this detested convention; it kept them waking at night, or disturbed their sleep, like a misdeed or a misfortune of their own. The London newspapers joined in one cry of wonder and abhorrence; on no former occasion had they been so unanimous, and scarcely ever was their language so energetic, so manly, so worthy of the English press. The provincial papers proved that, from one end of the island to the other, the resentment of this grievous wrong was the same:—some refused to disgrace their pages by inserting so infamous a treaty; others surrounded it with broad black lines, putting their journal in mourning for the dismal information it contained; some headed the page with a representation of three gallowses, and a general suspended from each, cut in wood for the occasion.

What could be done? There were not wanting writers who called upon government to annul the convention. The Romans would have done so, and have delivered up the generals who signed it, bound and haltered, to the enemy's discretion. Would it be argued, that to break the treaty would be to break our faith towards the enemy? Why, it was so framed that it could not be fulfilled without breaking our faith towards each and all of our allies! We were the allies of Portugal; and it was a breach of faith towards Portugal, to transport this army of thieves, ravishers, and murderers out of the country in which they had perpetrated their crimes, and from which they had no other possible means of escape. We were the allies of Spain: and it was a breach of faith towards Spain, if four-and-twenty thousand French troops, cut off from all succour and all retreat, should be conveyed, under the British flag, into their own country, with all their arms and baggage, that they might join the forces with which Buonaparte was preparing to march against the patriots. We were the allies of Sweden; and it was a breach of faith towards Sweden, to carry Russian sailors through the Swedish fleet, for the purpose of manning Russian ships against the Swedes. Were we then to annul this treaty with our enemies, or to betray our friends? for to this alternative our triumvirate of generals had reduced us! No law of nations could justify them in making such stipulations; no law of nations therefore could justify us in performing them. But the French, it was urged, had already fulfilled their part of the convention; they had evacuated the fortified towns, and admitted us into Lisbon. Thus we had already reaped the advantages on our side, and were, in honour, bound to carry into effect the remainder of the treaty, which was advantageous to them. In whatever way we acted, some loss of honour was inevitable; but, evidently, it was less disgraceful to break the terms than to fulfil them;—better that the French should reproach us, than that they should compliment us upon a fidelity which enabled them to injure our allies. And if Junot and his army were kept prisoners, even then their fate was better than

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they had either expected or deserved; their lives were safe; whereas had the battle of Vimiera been followed up with proper activity, and if our commanders had acted with that conciliating and encouraging spirit towards Portugal which both policy and principle might have taught them, few of the French would have survived to be made prisoners; and especial care should have been taken, that Junot, and those who, by his orders, had put the Portugueze to death, as rebels, should have fallen into the power of the Portugueze, that they might have perished by the hand of the executioner.

The blow might have decided the fate of Europe. France had lost an army in Andalusia, and how deeply Bonaparte felt the loss was shewn by the anxiety with which he concealed it from the French people. What might not have been the effect of the destruction of a second and larger army, following so close upon that of the former! How would it have encouraged the Portugueze, given new animation to the Spaniards, and raised the hope and the courage of those various states who were suffering under the tyrant's yoke! It would have been some consolation to the people of England if they could have attributed treachery or corruption to the men who had thus sacrificed the interests of four nations: accustomed, however, as we are, to open and shameless corruption at home, such is still the British character, that no suspicion of this kind could be entertained; and for want of honour, want of feeling, want of sense, there was no other punishment than public contempt and indignation, to which men, thus morally and intellectually defective, must necessarily be insensible.

These were the feelings of the people of England, and the more they examined the convention, and the more information they obtained, the greater was their astonishment and their shame. Sir Arthur Wellesley had acknowledged Buonaparte as emperor of France and king of Italy in the armistice, and given Junot the title of Duke of Abrantes;—the former implied only a forgetfulness of forms, which yet it behoved him to have remembered and insisted on; for the latter recognition no possible plea of excuse could be alleged: for whom, or what, was he fighting in Portugal, if Junot was Duke of Abrantes? But the whole of the armistice and of the convention displayed the same insolent contempt of the feelings and rights of the Portugueze. Not till the second day after the armistice was concluded, did Sir Arthur notify it to the Bishop of Porto, a man so conspicuous among the patriots, both for his rank, character, and the services which he had performed; and then, without deigning to enter into any particulars, he told him that the agreement contained nothing remarkable, except a provision for securing the neutrality of the port of Lisbon to the Russian squadron! However little remarkable such an agreement might appear to the man who concluded it, the Portugueze saw it with clearer eyes; and General Freire entered a formal protest against the convention: first, against the whole tenor of the treaty, because it was totally void of that deference due to the prince regent, or the government which represented him; on account of all that might be hostile in it to the sovereign authority and independence of the government, and of all that it contained a-

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gainst the honour, safety, and interests of the nation. In particular, he protested against those articles which determined the surrender of Portugueze fortified places, stores, and ships, to the English forces, without solemnly declaring that the surrender was momentary, and that they were immediately to be restored to the prince regent, to whom they belonged, and in whose aid the English came as auxiliaries; against the article permitting subjects of France, or of powers in alliance with France, to continue in Portugal; against that which secured impunity for the frenchified Portugueze, because it attempted to restrain the government from bringing to justice and condign punishment those persons who had been notoriously and scandalously disloyal to their prince and their country, by joining and serving the French; and even if the protection of the English army should be allowed to screen them from the punishment which they deserved, he argued, that still it should not prevent their expulsion, in order that Portugal might no longer be in danger of being again betrayed by the same men. Finally, he protested, on account of the want of attention to the safety of the inhabitants of Lisbon and its environs, nothing having been stipulated to secure them from being still vexed and oppressed by the French during their stay. To these heads he limited his protest, passing over, for the sake of brevity, other objects of less importance, such as the concession of horses, which almost all belonged to Portugal, and of magazines filled at the expence of Portugal, and consequently belonging only by fact, not by right, to the unjust invaders.

Objections to the same tenor had been virtually stated to Sir Hew Dalrymple, pending the negociations by Major Ayres Pinto de Sousa, then representing his general. He had stated that the French were not strong enough to claim such terms; and that the Portugueze were now in a state to exact an account from them of the robberies, rapines, depredations, murders, and sacrileges, of every kind, which they had committed, atrocities which required exemplary vengeance. He commented also upon the manner in which the Portugueze were treated in this armistice, as if they were not a party most essentially concerned in the transaction.* The British army, said General Freire, cannot and should not be considered in this country in any other light than an auxiliary army; as such it was applied for by the provisionary government, and as such it should still be considered, let its strength be what it will, to avoid exciting mistrust.—Under these circumstances, any treaty which was to be discussed with the French, should have been done in conjunction with the Portugueze government, and with their full approbation.

The British commander-in-chief was not aware of the political faults which he had committed till they were thus pointed out. The disre-

* "*Votre Excellence se rapellera sans doute que je lui ai observé que le governement et le peuple Portugais etoit un peu trop cavalierement traitée dans l'armistice, et que je fis tout mon possible pour faire sentir a votre Excellence ce que en pourroit resulter, et qu'il falloit absolument que l'armée Portugais et le gouvernement du pays fut considerè en quelque sorte, ne fusse que pour mêttre un frein aux faux bruits, que des facticux, et des amis des Français tacheroiçnt de propager.*"

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gard to an independent ally, manifested both in the armistice and convention, proceeded from pure want of thought and feeling in the English generals, not from intentional disrespect: and Sir Hew Dalrymple no sooner discovered in what manner it was resented by the Portugueze, than he assured General Freire, adding also that he would use the necessary means for giving publicity to the pledge, that he served in Portugal as the commander of a force acting in alliance with that country, and that, therefore, he considered himself bound, by duty and honour, to pay as strict a regard to the interest of the prince regent, the dignity and security of the government, and the welfare of the nation of which he was the lawful ruler, as the Portugueze general himself. Another protest came from the Monteiro Mor, governor of Algarve, president of the junta of that kingdom, and general of the army of the south; and he accompanied his protest by a request, that, on account of the robberies and atrocities of the French, the vessels employed to carry them home might be embargoed till the king of England and the prince regent should resolve on what was best for the honour and interest of the two nations: he required also that a rigorous inventory should be made of their baggage, by Portugueze and English commissioners, that they might not carry with them the booty which they had so infamously obtained.

From all these difficulties in which the British commanders had involved themselves and their country, an opportunity was afforded them of coming off, if not with honour, at least with diminished ignominy, by the French themselves, who, in violation of the provisions of the treaty, demanded, and actually received money arising from the revenues of the country, after it had been signed. No farther ground could have been wanting, at once to have annulled the convention, and declared Junot and his whole army prisoners of war, this palpable infraction having been thus committed. But throughout the whole of these deplorable transactions, the utmost delicacy was to be observed toward the French, as if they were the only persons whose feelings were to be consulted! Sir Arthur Wellesley, during the negociation, proposed that some mode should be devised to make the French generals "disgorge the church plate which they had stolen:"—they are his own words. An article was framed, in consequence, specifying, in direct terms, that the property of churches, monasteries, galleries of paintings, &c. should not be carried away; but this article was withdrawn, on the repeated representations of Kellerman, and at Junot's particular request, because he said it appeared so reproachful to the French army to have it introduced into a public document: and the British generals consented to have it withdrawn, for the very reason which should have made them insist upon its publication,—contenting themselves with Junot's word of honour that nothing of the kind should be removed! General Kellerman, too, disclaimed all idea of military men conducting themselves with such a spirit of individual rapacity as had been attributed, in some instances, to the French officers; and even expressed his hope, that if there were any such persons in the army, they might reap no benefit from their misconduct.

Sir Hew Dalrymple lent a willing ear to these excuses. Encouraged by this, Junot demanded five Danish

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ships to remove his own personal effects! This indeed was too much,—yet the frigate in which he sailed had not sufficient space for his baggage, and he carried off no fewer than twelve carriages! It seemed as if the French general supposed whatever he asked must necessarily be conceded, and imagined that men could not have been so fooled in negociation, unless they had been in some degree afraid,—not, indeed, of an army which they had beaten, but of the vengeance which their great Napoleon might afterwards exact. But the impudence of this demand, and the robberies which he still continued to commit, at length provoked the English, and in some degree alarmed them for the consequences. The Juiz de Povo of Lisbon presented a formal protest against the convention. The terms had not been made public,—it would not have been safe to have published them. In fact, though the substance was but too plainly manifested, the treaty itself was not seen by the Portugueze nor the British army till it reached Lisbon in the English newspapers. But, the magistrate said, the people knew that there was no mention made of the three states of the kingdom, and that it left them without satisfaction for the crimes both against divine and human laws, and without vengeance for the murders, robberies, and atrocities, of every kind, which the usurpers had committed. "Our churches stript," said he, "the royal palaces damaged, the royal treasury plundered, the people reduced to poverty and misery, so that the streets and squares of the capital are rendered impassable by crowds of beggars,—nothing of this is taken into consideration—yet the safety of kingdoms depends on not letting their rights be invaded without punishing the offenders, and the consequence of permitting such crimes with impunity will occasion incalculable misfortunes. The people and the officers of this tribunal declare their gratitude to the generous allies who have liberated Portugal, but they pray for the suspension of a convention so favourable to the French as this is said to be. It must be invalid after the abuses and hostilities which they have continued to commit in Almeida, and the contribution which they have since extorted; and this tribunal cannot consent to the return of the enemy to France, as they already threaten that they will come back to destroy what they have left." This threat was openly made. The victory which the French had obtained in negociation more than counterbalanced the humiliation of their defeat. They denied that they had been defeated; they affirmed that they had dictated the terms; and so far was Junot from withdrawing himself from notice, that he continued to occupy the royal box at the opera till his departure. The English generals respected, in this instance, the custom of the country, and after the Frenchman had resigned it, left it unoccupied, with the curtain down.

There was something absolutely comic in the impudent persuasion of the French that they might continue to pillage and carry off what they pleased, under protection of the British army. So sensible were they of the hatred which they had provoked, and the fate which inevitably would await them from the Portugueze, if the people were left to themselves, that Junot requested a British force, of not less than ten thousand men, might enter Lisbon

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before the second division of the French embarked, because he felt great apprehensions of the outrages which might be committed by the populace; yet he continued to extort money, and to pack up whatever valuables the palaces or museum contained. Among other plunders, he seized about £25,000 from the Deposito Publico:—this was, in fact, a robbery of individuals, the money being placed there in deposit, till litigations concerning it should be decided. Sir Hew Dalrymple at length perceived, that, owing to the shameless and open manner in which the French were preparing to carry off public and private property, the popular fermentation was violently excited, and that, from these circumstances, combined with the interpretation which the French, by their conduct, affected to give the convention, the rage of the people was little less directed against the English than the French. The commissaries appointed to see the convention carried into effect, Major-general Beresford and Lieutenant-colonel Lord Proby, exercised their charge as well as they could do, crippled as they were by such a treaty. The money taken from the public deposit, they compelled the French to promise to replace,—a concession which was not obtained till after a very long discussion. The spoils of the museum and royal library were also reclaimed. They had been selected, General Kellerman said, by M. Guiffroi, a member of the National Institute:—the objection, indeed, on the part of the English, he admitted to be well founded,—nevertheless, he observed that these articles, consisting chiefly of specimens in natural history, and interesting manuscripts, were, in general, duplicates,—that they were precious acquisitions for the sciences;—the sciences were of all countries, and far from making war upon them, we ought to promote their communication. They wished, therefore, to select articles of natural history at their pleasure, and to leave for them such compensations as the English might thing proper. Of course, the British commander returned a most decided negative, saying he could not sell articles which were not his, and would not allow them to be removed: and the French general was compelled to issue a general order, commanding all individuals of the French army, or administration, to make restitution of whatever they had taken from any public or private establishment, within four-and-twenty hours.

It was something to have wrung from them such a confession of robbery, but little restitution was made, and this act of vigour was not followed with the same spirit. All the money which these plunderers had collected they were allowed to carry off. Sir Hew observed, that this description of property could never come under the provisions of the treaty, and that it was impossible to identify it, or prove exactly from whom it was obtained. But Ayres Pinto had pointed out to him a simple and satisfactory mode of proof:—the French brought no money into the country, except some gold Napoleons, of base alloy, made on purpose to exchange for fine Portugueze gold. What, indeed, could be more certain, than that they brought no Portugueze money with them, and, consequently, whatever they possessed must have been the fruits of rapine.

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Yet the French carried off three months pay for the whole army, in the general military chest, and, besides this, distributed large sums to the different regiments, to be carried off in their regimental chests. One regiment alone was said to have taken 100,000 crowns with it.

The French had also a great quantity of silver in bars, into which they had reduced the pillage of the churches and palaces, for the sake of easier conveyance. Kellerman strenuously insisted that the convention guaranteed to them whatever was in their possession previous to the first day of the truce, and declared, most positively, that they never would concede this point. The commissioners, on the contrary, insisted upon the article which restricted them from carrying off other than military and personal baggage; and they declared that the commander-in-chief would never consent to any other construction. At length, they compromised the dispute:—the French, though they would not acknowledge that, by the treaty, they were under any obligation, proposed to pay the debt of the army with this silver, for which purpose, they said, it had ever been expressly intended, and agreed, that if any remained after these debts were discharged, it should be delivered up. The commissioners acknowledged, that, by the convention, they could scarcely require more; and Sir Hew Dalrymple pronounced that the offer of the French was fair, and might be acceded to!

The commissioners, however, were soon convinced that concession was not the likeliest expedient for avoiding new pretensions. The ingenuity of man, they said, could not provide against French cavil, and ingenuity in misconstruction; and in consequence of the perpetual subterfuges and false promises of Kellerman, they insisted upon the establishment of a* committee, to enquire into all the claims presented by the Portugueze, and to be invested with full authority to summon persons, and to order restitution. Property to a very great amount, both private and public, was recovered by these means. Information was obtained that fifty-three boxes of indigo were embarked, as part of Ju-

* "When the inhabitants of Lisbon," says Redhead Yorke, "goaded these men into a sense of honour, and, by a formal petition for their interference, compelled them at last to bestir themselves in behalf of the people whose wrongs they were commissioned to redress,—what was the result? They commenced a correspondence, which led to a conference, that produced a colloquy, which ended in a committee of plunder-refiners. This was a vile compromise! If our generals had possessed the intrepid spirit of the Spaniards, they would have stript the whole army of thieves of all their booty, and sent them home with half a dozen ship-biscuit in their pouches, and with stripes upon their backs; for it is an insult to common sense to admit that they brought silver chalices, crucifixes, gold ear-rings, or even bullion with them, out of their own repertory of pillaged nations. The property they brought was visible to all the inhabitants of Lisbon:—each man carried with him thither the remains of a shirt, a dirty flannel waistcoat, a stinking night-cap, a ragged pair of breeches, a musket, forty round of cartridge, and a legion of lice upon his head. In this state they entered Lisbon, with their tongues hanging out, and their hearts palpitating, like famished blood-hounds after a bootless chace. They ought, therefore, to have been sent back in the same tattered condition in which they came."

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not's baggage: the indigo was found and seized:—the French general, of course, disclaimed any knowledge of the transaction; and the commissioners, without hesitation, assured him that every officer in the British army would acquit him personally on this head, because it was impossible for him to inspect or know what was done in his name! A bold and well-supported attempt was made to avoid the repayment of the money taken from the Deposito Publico, and a compensation for articles taken from the public magazines since the convention, amounting in the whole to £40,000. The justice of this demand had been acknowledged, and immediate payment promised. Nevertheless, it had not been made when Junot embarked, and when he was called upon to fulfil his agreement, Kellerman pleaded that the money remaining on the *Caisse Militaire* did not amount to the L.60,000, which, by the explanation of the convention, was admitted to be a fair military chest, and therefore he considered the agreement to repay these sums as cancelled. The first division of the French had already sailed, but the commissioners applied to Sir Charles Cotton to detain the second, and the commander-in-chief, till that point should be satisfactorily settled. Even after this instance of vigour, much litigation and discussion was permitted; and when, at length, Kellerman yielded to necessity, attempts were still made to put off the payment, till no means of enforcing it should be left. During the three last days that Junot remained in the river, orders were repeatedly given to the payeur-general to pay this money, and they were always evaded, under some frivolous pretext; till at last the commissioners ordered him and his baggage on shore to the arsenal, and then the Frenchman reluctantly refunded this part of the plunder.

The commissioners concluded the final report of their proceedings by stating, that the conduct of the French had been marked by the most shameful disregard of honour and probity, publicly evincing their intention of carrying off their plundered booty, and leaving acknowledged debts unpaid. Finally, said they, they have only paid what they were obliged to disgorge, and were not permitted to carry off. The British commissioners represented to General Kellerman, "that whatsoever the words, it could never be the spirit of any convention, that an army should, as a military chest, or otherwise, carry off public money, leaving public debts unpaid: they called upon him, for the honour of the French army and nation, to act justly;—and yet, unmindful of any tie of honour or of justice, the French army has taken away a considerable sum in the military chest, leaving its debts unpaid, to a very large amount."

If any thing could add to the shame and mortification of the people of England, in this transaction, it was the contrast between the conduct of their own generals and that of Castanos and Morla, at the same time, and upon a like occasion; and this contrast existed not merely in the public treatment of the two beaten armies, but in the individual feelings of the Spanish and English commanders. While Dupont was shunned, as a ruffian whose presence was loathsome, and whose company would have been contamination—Junot, with a heavier load of guilt and infamy, was giving his grand dinners, where the French and English offi-

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cers were served upon stolen plate of silver and gold, and feasted together upon the spoils of Portugal! During the whole course of the commissioners' investigation, which began in an assumption that the French were thieves, and which, in every step, proved them so, the utmost courtesy was exhibited towards them; mutual assurances of esteem and consideration were bandied from one general to another; and when the stolen indigo was found among Junot's baggage, the first thought of the commissioners was to assure him, that every British officer acquitted him personally on that head! It seemed, indeed, as if the leaders of the British army, instead of having any common feeling with the Portugueze, as friends, allies, and patriots, sympathized with the French, and with them only, as men of the same profession.

It may well be imagined with what bitterness of indignation the Portugueze beheld all this. The conduct of the English commanders, in another important respect, was not of a kind to conciliate them. The utmost vigilance, now that the English had taken upon them the protection of Junot and his army, was necessary to prevent the people from putting to death all on whom they could lay hands. A proclamation was therefore issued, prohibiting the natives from entering the city with arms, or wearing them in the streets, and ordering all places where wine was sold to be shut at six in the evening, and not opened before sun-rise. To enforce these regulations, and maintain order, strong guards, picquets, and patroles were appointed to seize and take into custody every person who should attempt to disturb the public peace. These measures were requisite, but instead of enacting them through the Portugueze magistrates, they were issued in the name of General Hope—an assumption of authority as invidious as it was unnecessary. In spite, however, of these precautions, Kellerman, though one of the least detested among the French, narrowly escaped from the vengeance of the people. After his embarkation, he came on shore, to dine with one of the English officers, and was discovered on his return to the waterside. Our sailors gallantly defended and saved him, but not till he had received some very severe contusions. No Frenchman dared appear alone, or if any one ventured out, trusting to escape discovery, upon the first suspicious look which was cast upon him, he fled to an Englishman for protection. The baggage could not have been embarked, had it not been always under an English guard. No investigation, indeed, could satisfy the Portugueze, in seeing so large a share of their property appropriated to their invaders. Naked these ruffians had entered Portugal, and the people of Lisbon knew that whatever was left them was plunder.

The same unreflecting want of respect to Portugal which was marked in General Hope's proclamation, appeared in another measure of more importance. The regency which the Prince of Brazil had appointed was virtually dissolved—one of its members being a prisoner in France, others having proved themselves traitors. Sir Hew Dalrymple, of his own authority, re-appointed the five remaining members, till the pleasure of the prince should be known. Even if the measure had been wise, the manner in which it was notified was exceptionable:—the members should have resumed their functions as naturally reverting to them; it was not

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the office of the British commander-in-chief to call upon them. But the measure was in itself improper: it was of the utmost importance that the Government should be administered by men who possessed the confidence of the nation; the nation, therefore, should have been left, as in Spain, to chuse their provisional government in their own way. Considerable dissatisfaction was excited by this impolitic interference; for there prevailed a general opinion that the bishop of Porto ought to be appointed viceroy, in consequence of his active patriotism.

This dissatisfaction manifested itself particularly in the northern provinces. The French troops from Almeida were marched to Porto, under a British escort, there to be embarked. On the day of their arrival, they employed themselves in converting as much of their plunder as possible into money: purchasers were not wanting, and their market continued the whole day and night, horses being the ostensible articles. Such a traffic excited the indignation of all but those who were profiting by it; and that indignation was excited to the highest pitch, when, on the following morning, as the baggage of the French was examined at the castle of St Joam da Foz, in the presence of the governor, and of Sir Robert Wilson, several rich vestments of the priests were found in one of the boxes. The horror which the Portugueze feel at sacrilege is perhaps hardly conceivable by those who are not well acquainted with them. The governor himself, on this occasion, joined the populace in their outcry, and immediately gave orders that no vessel should be permitted to pass the castle, and that they should be sunk if they attempted it. The news soon reached Porto, exaggerated as it passed from mouth to mouth; a mob collected, bent upon putting the French to death; and some insults were offered the English, for protecting them. The bishop, Sir Robert Wilson, and many officers, Portugueze and English, used their utmost exertions to quiet the tumult: wherever they appeared, the cry was, "Down with the regency! The bishop must be viceroy! *Viva viva O Bispo!*" They succeeded in restoring peace at St Joam da Foz: but the crowd still continued on both sides the river; and, at an early hour of the morning, some thousand persons had assembled, with a determination to attack the French on board the transports: they placed artillery on both shores, and mounted guns on board the ships.

Fortunately for the French, they were provided with sixty rounds each man, and one of the transports in which they were embarked was armed with six-pounders. The bishop and Sir Robert Wilson again came down to mediate, and the latter was employed, without intermission, from nine in the morning till five in the afternoon, in negociating between the French general and the populace. It was in vain for the Frenchman to tell Sir Robert that he was bound to see the articles of capitulation executed to the very letter,—that was impossible; he had secured their lives, and this was the utmost he could do. The mob insisted that the French should be disembarked, their baggage examined on shore, and that they should leave their arms: there was no alternative, and they were compelled to submit. No sooner had they left the transports, than the rabble boarded them, and began to plunder in

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their turn: every thing was ransacked; the very provisions and wearing apparel of the ship-owners disappeared. Here, however, the tumult ended: the more noisy of the populace retired with their booty; the better classes were ashamed of the disgrace which had thus been brought upon them; and every possible reparation was made, to the entire satisfaction of the British officers.

Sept. 22. A scene of a very different character was exhibited at Lisbon when their arms, horses, and artillery were restored to the Spaniards who had been imprisoned by Junot. Their number when they were seized was 5800, but above 2000 had effected their escape, and many of them had fought and fallen in Alentejo. The ceremony was made as public and impressive as possible, and the alms which the Spanish commander distributed among the poor of Lisbon occasioned a general festival.

Meantime, meetings were convened in every part of England, to express the indignation of the people at the convention of Cintra, and to call for the punishment of those by whose misconduct and incapacity the interests of this country and of its allies had been so shamefully sacrificed. But it was in vain for those who called for justice to represent that this was no party business; that it was a transaction in which the honour of Great Britain was involved; and that it became all parties to unite in expressing their abhorrence of it. It soon appeared that these meetings displeased the ministry: in those counties where their influence was despotic, they prevented, and every where else their partizans and dependents opposed them. The principle upon which they disapproved this constitutional method of expressing the opinion of the public, was explained in an answer to the address of the common council, upon this occasion, which was read for his majesty by Lord Hawkesbury. The city of London was told, that it was inconsistent with the principles of British justice to pronounce judgment without previous investigation; and that its interposition was not necessary for inducing the king to direct due enquiry to be made into a transaction which had disappointed the hopes and expectations of the nation. An ominous and most ill-advised reply! For upon what had the city of London pronounced judgment? Certainly upon the act, and not the agents: a heavy offence had been committed upon the honour of England; a blow, perhaps a mortal blow, inflicted upon the feelings and interests of Portugal and Spain;—and the enquiry for which the people petitioned was, that the offenders might be discovered and punished. They prejudged nobody, and the act itself required no investigation: common sense and universal feeling had instantly pronounced it infamous.

The common council did not submit tamely to a reproof which was so little deserved: they assembled,* and passed resolutions, that it was the undoubted right of the subject to petition, and that this right ought at all times to be freely exercised, in all matters of public grievance,

* A ludicrous mistake happened at this second meeting. The recorder, when putting the question, "that his majesty's most *gracious* answer to the city address be inserted in the journals?" misread it "his majesty's most *grievous* answer!"

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without obstruction or reproof: that they were therefore at a loss to know by what construction of their petition, however strained or perverted, his majesty's advisers could attribute to them any intention or desire to pronounce judgment without previous investigation, unless it were to throw an unmerited odium on them, and raise a barrier between them and the crown, on all occasions where their object was free and constitutional enquiry: that, had they refrained from expressing to his majesty their feelings at the humiliating termination of the campaign in Portugal, they must have ceased to feel, to think, to act as Britons; they could not therefore sufficiently express their concern that they should, by any suggestions, have met with obstruction and reprehension in the exercise of this undoubted and invaluable right. They particularly regretted that his majesty should have been advised to express a hope that recent occurrences would have convinced them that he was at all times ready to institute enquiries on occasions in which the honour of his arms is concerned; and that the interposition of the city of London could not be necessary for inducing his majesty to direct due inquiry into a transaction which had disappointed the hopes and expectations of the nation. Because it appeared, that, during the eventful period of the last fifteen years, various enterprizes and expeditions have been undertaken, "in which the character of the country, and the honour of his majesty's arms were concerned," which have grievously failed, and "disappointed the hopes and expectations of the nation," and into which "due inquiry" had not been made. That, in one of the recent occurrences to which his majesty's answer refers, it is not known, even at the present moment, by whose advice the commander-in-chief was appointed, or on what account such commander was selected. That whoever advised his majesty to put so unfavourable and unwarrantable a construction on their late petition, has abused the confidence of his sovereign, and is equally an enemy to his majesty and the just rights of his people. They concluded by declaring, that they did not attribute guilt to any one, much less did they pronounce judgment without previous investigation. But they asked for investigation, prompt and rigid investigation, and the punishment of guilt wherever it might be found.

The ministry who accused the city of London of having prejudged the question, had prejudged it themselves, when they ordered rejoicings for the convention. It was but too manifest, that, having carried the treaty into effect, instead of annulling it, as the true principles of justice and honour required, they would justify the generals. A board of inquiry, not a court martial, was appointed, to investigate whether the generals had done ill, not to try them for having done so. Sir David Dundas was the president of this board; the Earl of Moira, General Craig, Lord Heathfield, the Earl of Pembroke, Sir George Nugent, and Lieutenant-general Nicolls, were the other members. It appeared, upon this enquiry, that the English generals were afraid of their fleet, riding off an open beach, and doubted whether reinforcements and provisions could be landed for them: that they were ill supplied with artillery, and that the horses which they had re-

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ceived for the artillery, from the Irish commissariat, were cast-off cavalry, old, lame, and blind, many of them actually dying of age. The opinion which the board delivered was, that they could not pronounce, with confidence, whether the victory of Vimiera ought to have been pursued or not; but, considering the extraordinary circumstances under which two new commanders arrived from the ocean, and joined the army, (the one during, and the other immediately after the battle, and those successively superseding each other, and both the original commander, within the space of twenty-four hours,) it was not surprising that the army was not carried forward until the second day after the action, from the necessity of the generals' being acquainted with the actual state of things, and proceeding accordingly. On a consideration of all circumstances, they were of opinion, that no farther military proceeding was necessary on the subject; and however some of them might differ in opinion respecting the fitness of the convention, it was their unanimous declaration, that unquestionable zeal and firmness had been exhibited by all the three generals.

As this was, in fact, delivering no opinion at all, the board was called upon, by the Duke of York, as commander-in-chief, to resume its consideration of the armistice and convention, and pronounce decidedly whether they thought them adviseable. The armistice was disapproved by Earl Moira; the convention by the same nobleman, by the Earl of Pembroke, and General Nicolls: thus, six of the seven members approved the armistice, and four approved the convention. The dissentient members delivered in their reasons for the opinion which they gave. General Nicolls and Earl Pembroke confined themselves to a military point of view. Earl Moira took a wider scope, and argued, clearly and convincingly, against the moral and political effects of this unhappy treaty. The proceedings were concluded by a declaration from the king, adopting the unanimous opinion of the board, that no farther military proceeding was necessary; but expressing his disapprobation of those articles of the convention in which stipulations were made, directly affecting the interests or feelings of the Spanish and Portugueze nations. That disapprobation his majesty had signified to Sir Hew Dalrymple when the treaty was first laid before him, and he repeated it, deeming it necessary that his sentiments should be clearly understood—as to the impropriety and danger of the unauthorised admission, into military conventions, of articles of such a description. Nor could he forbear observing, that Sir Hew's delaying to transmit the armistice concluded on the 22d of August, till the 4th of September, when the ratified convention was transmitted at the same time, was calculated to produce great public inconvenience, and that such inconvenience had, in fact, resulted therefrom. The king abstained from any observations upon other parts of the convention.

Jan. 18. 1809.

Thus the whole censure fell upon Sir Hew Dalrymple. The people were more disposed to censure Sir Harry Burrard—imputing it to him that the victory had not been pursued; but in the worst part of the transaction, the three generals were equally implicated. Six weeks, however, had elapsed before the board

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of inquiry was instituted, and ten more before its final result. During that interval, other events occurred which broke off the attention of the public; the ardour of their feelings had subsided, and the indifference with which they regarded the close of an inquiry which they had so eagerly demanded, afforded one proof more of the instability of popular opinion, when it is not secured, by some deeply-rooted principles, from the influence of passion and party.

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CHAP. XX.

The Friends of Ferdinand escape from the Intruder. Defence of the Council of Castille. Palafox's Reply to it. Plan for a Central Government proposed by the Junta of Seville. Their objections to a Cortes. Formation of the Central Junta. Its Disputes with Cuesta; its Plans and Professions. Siege of Gerona. Want of Cavalry. Bilbao twice Captured and Re-captured. Inactivity of the Spanish Armies.

While the intruder was at Madrid, those friends of Ferdinand who had been compelled to enter into his service took the earliest opportunity to effect their escape, and declare themselves in favour of the patriots. The Duke del Infantado got out of the city in the dress of a peasant, and in that disguise made his way to Salamanca, where he joined one of the Spanish armies. The Duke del Parque who had been appointed captain of the body-guards, and travelled in the same carriage with Joseph Buonaparte from Madrid, threw off the charge which had been imposed upon him, and went to bear arms in defence of his country's independence. Cevallos sent *July* 28. in his resignation: his only wish, he said, had been to return to his native land, and this having been denied him, after two months repeated solicitation, he had no other means of putting an end to that separation from his family, and his fellow-countrymen, than by accepting the appointment which was pressed upon him; reserving to himself the right, which no one could renounce, of adhering to the vote of the majority of the nation, in case it should reject the king of Buonaparte's choice. Cevallos had secured his retreat before he took this step,—and the first use he made of his liberty was, to lay before the world an account of the iniquitous transactions at Bayonne.

The avowed partizans of the intruder fled with him. The council of Castile, who, probably more from cowardice than corruption, had sanctioned all the measures of the French, during the usurpation, with the whole weight of their authority, were now alarmed for their own safety, and addressed a proclamation to the people of Madrid, every line of which betrayed their consciousness of their own misconduct, by its flattery and its ill disguised fear. It called them a generous *Aug.* 5. and worthy people, virtuous Spaniards, worthy citizens, good men, and true patriots. It told them, that what they had suffered was but a punishment necessary for their correction; their morals having almost reached the point of complete corruption: that the innocent victims whose blood had been shed, had implored forgiveness for them; the God of battles had heard their interces-

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sion, and was appeased; and all their victories were owing to God and our lady the Virgin. Would they then add to the calamities of their country? Would they commit new insurrections and excesses? They who were crying out for justice, and who were eager, under the pretext of exercising it for themselves, to pillage, and burn, and destroy, were not inhabitants of Madrid, or its vicinity, but vagabonds, who, having fled from their own magistrates, took shelter in the metropolis. "Judge no one," it said, "for that renders you liable to sacrifice many innocent.—If there have been among us any traitors, the Supreme Tribunal will avenge their crimes, and, if they merit it, cast them away, as unworthy of the name of Spaniards. God grant that there be no occasion to draw the sword of justice! Let it be employed against the enemies of our nation, against the oppressors of our liberty." In another part of this address, the council ventured even to pronounce their own eulogy.—"The government and the faithful provinces," they said, "would be filled with joy, when the council should have exhibited before them, and all Europe, the constant firmness with which the first nobility, the superior tribunals, and the chiefs of the nation, had sustained their cause, and the rights of the throne. Not a few individuals among them had been led, by fraud and force, far beyond the limits of Spain, and, though without liberty, and exposed to the severest insults, they had proved the inflexibility of their loyalty, and the religious purity of their opinions." And then, introducing an excuse for their own baseness, they bade the people distrust the signatures which had been circulated among them, and wait with patience for the testimonies of their conduct.

A circular address, in the same spirit, was sent, at the same time, to the provincial juntas. "The council," it is said, "which could not fail to be, in a great degree, involved in the consequences of the subjection of the capital, availed itself of the first moments of its liberty, to make its sentiments known: these could not but correspond with the immutable loyalty, and the indelible love of justice, which always constituted its character, and had gained it, in all times, the confidence of the nation. This it was which had supported them in the midst of the greatest dangers, and added firmness to the constancy with which they had refused to recognise the intruder, farther than circumstances justified." Affecting then to believe that the juntas which it addressed must be convinced of this, the council professed its readiness to co-operate with them in any plans of defence. With respect to measures of another kind, which were necessary for the salvation of the country, it belonged to this supreme tribunal, said the address, merely to rouse and excite the national authorities, which it would assist with its influence, its advice, and its knowledge. As it was not possible, under the existing extraordinary circumstances, to adopt the expedients pointed out by the laws and customs of Spain, the council would not occasion any delay by ill-timed discussions, but would confine itself, for the present, to the indication of a measure in which it would with the greatest satisfaction concur—which was, that deputies should be appointed by all the different juntas, who should confer on this most important object,

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and make such arrangements, that all projects and expedients, proceeding from this common action, might be as expeditious as the end in view required.

A separate letter was addressed to Palafox, in which, after the same apologetical protestations, they exhorted him to contribute, with all his power, to the safety of the capital. This letter was written at the time when the war was raging with most violence in the heart of Zaragoza; and when the hero to whom it was addressed had leisure to reply to it, it is not to be wondered at, if the sight of the ruins and slaughter around him occasioned in him some feelings of not unreasonable indignation. The integrity with which the council of Castile, he said, had conducted itself in other times, had rendered it respectable, even in foreign countries; but, in these mournful circumstances, in which Spain had been assailed by perfidy the most enormous that the history of the world presents, this tribunal has not fulfilled its duty. Many of the individuals who compose it have established satisfactory proofs of their own justification; but others, suffering themselves to be seduced at such a time by France, or perhaps prompted by the depravity of their own hearts, have not been content to remain neuter; they have even sided with the most cruel enemies of their country. "I myself," said Palafox, "to my bitter sorrow, have seen some of them direct the operations of the enemy, and appear with them before Zaragoza, where they wrote treasonable papers, and circulated addresses which are a disgrace to the Spanish nation. I know well that the council was not at liberty, and that, after the outrages of the French in Madrid, it was reduced to be the mere executor of the pleasure of that most execrable government; but had it only once expressed the general wish of the nation, it would, by such an act, have given more importance to what was transacting in the provinces, it would have united itself to them, and would at least have prevented its apparent sanction of those detestable, treacherous, and false proclamations. To this there seems to me to have been no insuperable obstacle, and even if there had, the good of the whole, and the welfare of the nation, ought to have been preferred to the personal interest of any individual."

Aug. 4.

The council next published an elaborate justification of their proceedings, from the time of the affair of the Escurial; referring to the firmness with which they had then protected the prince and his friends, as the first proof of their good conduct, in the most delicate circumstances wherein the tribunal had ever been placed. When the French troops entered the kingdom, various objects had been surmised—the protection of Ferdinand, the occupation of Portugal, the defence of the coast, the conquest of a part of Africa, were talked of; but, at length, suspicion was excited, even in the most unwary. The council observed, that, even in times of great security, the confidence with which these troops were received would have been most imprudent, both on account of their number and of the position which they took; above all, that it was contrary to the constant maxim of not receiving the forces of an ally superior in number to our own; and that it was an act of unexampled weakness to let them take possession of the fortresses. But, having no constitu-

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tional controul over affairs of th is nature, it had been compelled to dissemble its inquietude, especially because it would have been dangerous to manifest any apprehension while a probability remained that the object of the French might be generous, and that they intended to support the interests of Ferdinand.

When the court were preparing to emigrate, and had ordered the troops from Madrid to escort them, the council trembled for the safety of the prince, and endeavoured to impede or retard, as much as possible, the departure of the soldiery, that they might at least be able to facilitate his escape, for which they were assured that secret measures had already been taken. They therefore presented a report to the king, in which they endeavoured to make him abandon his design, and to lessen his confidence in the favourite; and urged him, if any extraordinary measures were necessary, that he would consult with a competent number of well-informed subjects, devoted to their sovereign and to their country; adding, that if they were thought worthy of being advised with, they would deliver their opinion briefly, sincerely, and faithfully, having in view nothing but their duty to God, the king, and the people. The subsequent events, till the departure of Ferdinand for Bayonne, were but too well known. On the 20th of April, a printer informed them that some Frenchmen had requested him to strike off copies of a proclamation, signifying, that the royal parents were about to re-ascend the throne: in consequence of this information, two Frenchmen, who stated that they were in the service of General Grouchy, were arrested, and put in confinement. The council then came to a resolution that all the provinces should be called upon to raise forces in proportion to their popul tion: the number of the whole, according to their estimate, might amount to 300,000. After much consultation, however, with the infante Don Antonio, and with persons who came with confidential instructions from Ferdinand and Cevallos, that resolution had been abandoned, as tending to endanger the king's person, and prematurely to put to hazard the safety and independence of the kingdom. Don Antonio, nevertheless, engaged to transmit instructions privately to the captains-general of the provinces, to take every measure consistent with prudence for increasing their military force. And when the junta of government ordered the council to send a circular notice to all the provincial tribunals, enjoining them to see that the most cordial reception was given to the French troops, they transmitted a memorial in reply, expatiating on the dangers which might result from any attempt to repress the high spirit of loyalty and affection towards Ferdinand, with which the people were animated.

The day after the dreadful massacre of Madrid, a memorial had been laid before them from the captain-general of Catalonia, stating the means to which he had had recourse for the relief of the poor of Barcelona, and requesting their sanction. Convinced that this was only a pretext on his part to obtain the funds necessary for procuring arms, they immediately sanctioned his proceedings, without those previous enquiries which the usual forms required. They had received a decree from Murat, directing the formation of a junta of police, having two Frenchmen for its commissaries: they

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had refused to obey, quoting the law, which excludes all foreigners from any share in the public administration of justice:—thus was the door shut against the favourites of the grand duke; thus were those mischiefs obviated which must have come upon the state, had they been appointed; and Madrid thus continued under her own magistrates. When they were called upon to acknowledge Joseph Buonaparte as their king, in consequence of the renunciation of Ferdinand and his parents, they argued, that such a renunciation was altogether nugatory, and incompatible with the laws of the constitution: it was monstrous to suppose that the royal family could give away the sovereignty of the nation, or that any one act which they had performed could be considered binding, on account of the time, the situation, and the circumstances in which they were placed. Once, however, they observed, that, supposing the treaties of abdication and cession were valid, and that the throne devolved to a branch of the imperial family, it was their opinion that the King of Naples, Joseph Buonaparte, appeared the fittest person for it. This fact indeed was too notorious to be denied or dissembled, and it invalidates the whole apology.

When they were called upon to publish the decree for convoking the assembly at Bayonne, they suspended its publication, and sent in a memorial to the grand duke, Murat, observing that their body never had taken, nor could, according to the laws, take upon itself the national representation,—that they were consequently, and by the same laws, excluded from the election of their sovereign,—that whatever change took place in the succession was entirely the concern of the nation; and that when a succession took place, without the proper forms, it was to be deemed, according to the actual constitution of the monarchy, null and void. This spirited answer, they affirmed, drew upon them much indignation, and they were even threatened with a process for sedition,—but they admitted, that, at length, confessing themselves influenced by the reasons signed by the president of the assembly at Bayonne, and likewise by the request of Joseph Buonaparte, they ordered the documents to be printed. "From that time, they had perhaps greater difficulties to struggle with," they said, "than the nation was aware of. They were threatened with the loss of their authority; but they determined to yield it up altogether, rather than retain it when polluted. Persecution, banishment, and death, became familiar to their ears; but the consciousness of their integrity supported them amidst all their trials. Such was the state of affairs, when they had the unexpected happiness of witnessing the sudden departure of the French. The omnipotent Ruler of human events, by a supreme act of his divine providence, delivered the council from the imminent danger which hung over it, thus rewarding the purity of its intention, and the unshaken loyalty, which, amidst all its troubles and all its difficulties, it had preserved inviolated. Joseph Buonaparte departed with his army, and the council had never taken the oaths to him, never been introduced, nor on any occasion paid him even those honours which they had always been in the habit of performing, as marks of respect, to foreign princes."

The council of Castille so far succeeded in its appeal to the compas-

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sion of the people, that its weak members were pitied, and its guilty ones remained unpunished. Shocked at the atrocities of the French revolutionists, the Spanish patriots have erred on the side of clemency: they should have censured this council as soon as a provisional government was formed, and have displaced all its members, as men who, by their own admission, had failed in their duty, and lent their aid to the degradation and subjection of Spain. Meantime, the necessity of a central government was felt by all the provinces, various projects were talked of, and the different juntas seemed to expect the decision of that of Seville, which, not less from the wisdom of its measures than from its favourable situation, had hitherto, in some degree, been regarded as the leading authority. That junta published, upon this occasion, a paper of great importance. Hitherto, they said, the cause of the Spaniards had been prosperous, and nothing could impair or frustrate their hopes of eventual and complete success, except a want of union among themselves. Their enemies were anxious to foment divisions. Human passions, personal interests ill understood, the ignorance, the weakness, the blindness of men, might perhaps assist these evil designs, destroy a beginning so glorious, and facilitate and consummate the ruin of Spain. This they were endeavouring to guard against, protesting, before God and man, whose aid they invoked with all fervency, that they would write nothing but what was dictated by the love of their country, for the preservation of their king and of their rights, not mingling with it any thing that appeared to partake of passion, of interest, or of any other personal motive; but being always ready to hear the opinions of the other provinces, and to amend their own errors, whenever it should be shown that they had committed any. The chief care should be to avoid whatever was not absolutely necessary, and might serve to sow the seeds of disunion: of this nature were all discussions concerning the royal house, and the order of succession in the different families which derived a right from it. The laws upon this point were well known; but are we, said they, in a situation to talk of this? Long live our king and indisputable sovereign Ferdinand VII., and long live his august brothers, heirs of the crown after his attested decease! Why anticipate enquiries which could only be necessary in default of them? It was both absurd and dangerous to dispute about the succession in cases evidently remote; and the provinces ought to confine themselves to avowing the general principle of hereditary succession, according to the fundamental laws of the monarchy.

The second question which agitated the people was of a different nature:—Was there a necessity for creating a supreme government, which should unite the sovereign authority of all the provinces, till the restitution of Ferdinand to his throne? The junta of Seville declared, that, from the beginning, they had been persuaded such a supreme government was by all means necessary, and that without it the country was in danger. Many juntas and many military commanders had expressed their conviction of this truth, —a conviction arising from the indispensable necessity in every nation of a civil government, whose duty it is to attend to the happiness of the kingdom, and to which the military may

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be subordinate. The confidence of the nation, the public funds, and the capitals of individuals must have a civil government for their support. Without it the military power would inevitably be compelled to employ violence, with the view of acquiring that confidence which it never could attain, and getting a command of those capitals which it would be equally impossible for it to bring within its grasp: and thus it would ultimately destroy that public prosperity and happiness which ought to be the sole object of every government. Spain had derived a lesson of wisdom from the history of past ages, and had never thought of appointing a military dictator. Her generals (and the fact was most honourable to the Spanish name) had been the first to embrace, with the utmost cordiality, a system of things as ancient in Spain as the monarchy itself. The experience of these times, the confidence of the people in the supreme juntas, the facility and abundance with which pecuniary resources had been placed at their disposal, the heroic loyalty with which the generals and the army had acknowledged and obeyed them, and the happy issue, thus far, of their civil administration, and of the military enterprizes which they had directed, placed in the most conspicuous light, and established, beyond all doubt, this fundamental truth, and most essential political principle. But who was to create this supreme civil government? Who were to compose it? Where should be its place of residence? What the extent of its authority? How might it be established, without interrupting the public tranquillity, and producing disunion among the different provinces? How was the public opinion to be so regulated, as that this tranquillity could be obtained without opposing it, and all risk of disturbance obviated? These were the important questions to be examined.

It had been said that the cortes should assemble, that the council of Castille should convoke them, and the whole proceedings be executed under the authority of that tribunal. But the council of Castille never possessed the right of convoking the cortes,—why then should they give it that authority? Was it because it had lent the whole weight of its influence to the usurpation? Because it had acted in opposition to those fundamental laws which it was established to preserve and defend? Because it had afforded every facility to the enemy to usurp the sovereignty of Spain, to destroy the hereditary succession of the crown, and the dynasty legally in possession? Because it had recognized and seated on the throne a foreigner, destitute even of the shadow of a title to it; for it was incontrovertibly manifest, that the renunciation of Charles IV. could give him no such claim? What confidence could the Spanish nation place in a government convoked by an authority, incompetent, illegal, and guilty of acts which might justly be ranked with the most atrocious crimes against their country? But the council of Castille being thus excluded from all consideration, who was to convoke the cortes? It was the peculiar and exclusive prerogative of the king to summon them; the provinces would not submit to any other authority; they would not unite: thus, therefore, there would be no cortes, or, if a few deputies should assemble, that very circumstance would occasion divisions in Spain, the very evil which all were anxious to avoid. Be-

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sides, some of the cities which have votes in the cortes had neither undertaken the defence of the kingdom, nor even their own defence, nor had they made any effort to defend it in their corporate capacities. With due respect for them and their rights, still it was necessary that the truth should plainly be spoken; and certainly, in not referring to these forms, they had acted prudently, and with a due observance of law. The kingdom found itself suddenly without a king and without a government,—a situation unknown in its history, and to its laws. The people legally resumed the power of appointing a government:—this truth had been avowed by various supreme juntas. They created these juntas without any regard to the cities which had votes in the cortes. The legitimate power was therefore deposited with the supremo juntas: in virtue of that power they had governed, and still were governing, with real authority, and had been, and still were, universally acknowledged and obeyed. Their situation had not changed; the danger still existed; no new authority had been supervened: the lawful authority therefore resided entire in the juntas which the people had created, and to which they had confided it. It was therefore incontestible that the sole and exclusive right of electing those who were to compose the supreme government was vested in the supreme juntas. And whom should they elect? Most certainly individuals of their own body; for they alone derived their power from the people, and in them the nation had reposed entire confidence. Should any other persons be chosen, they would possess neither the consent nor the confidence of the people. Hence, if there were any province in which the military power subsisted alone, it was absolutely necessary that a supreme junta should be constituted there, by which the people might act; this being indispensable, in order to concentrate the legitimate power of the people; for, under the present circumstances, the supreme government could not be legitimate, unless it originated in their free consent.

The junta of Seville was therefore of opinion that all the supreme juntas, meeting on the same day, should each elect, from its own members, two deputies, to form the supreme government; and the persons so elected should, from that moment, be acknowledged and obeyed as governors-general of the kingdom. The supreme juntas ought nevertheless to be continued till the termination of the present state of things, being invested with the internal management of their respective provinces, but under due subordination to the general government. They ought to give instructions to their deputies constituting that government, and it would be the duty of those deputies to observe them, and to represent and support the claims of their provinces, as far as was consistent with the public weal. If there were one of the royal family capable of presiding in the supreme government, he, and no other, ought to be appointed to that office; but if there were no person of the royal-blood, then it must elect a president from its own body; and, to obviate all danger, the presidency should be only for such a limited time as might seem best. The juntas would appoint a place for the seat of government, which the government might afterwards change, by a majority of votes, if it should see cause.

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It ought to be at a distance from all the dangers of war, and should possess other local advantages. Seville possessed all those advantages, but had no anxiety to be selected, and most cordially sacrificed all her claims. The junta of that city would, however, frankly state, that, in their opinion, La Mancha was most convenient for the seat of government, and, especially, either the city of Ciudad-Real, or Almagro. But this point was to be decided by the free choice of the supreme juntas. The paper concluded with a brief and dignified recapitulation of what the junta of Seville had done for their country, disclaiming, on their part, any affectation or desire of superiority, and declaring, that whatever they had done was only their indispensable duty.

The system thus recommended by the junta of Seville was adopted; yet their advice was unfortunate, if not unwise, and the reasons upon which they grounded it were inconclusive; for to the question, who should convoke the cortes, if it could be deemed necessary to observe all the forms of government, in a country whose government had been suddenly destroyed, there was a ready answer:—Ferdinand had expressed his royal will that it should be convoked, in a decree addressed to the royal council in the first instance, and, in case they were incapacitated from putting it in effect, to any chancery or audience. What farther formality could be required? Assuredly, also, the people were qualified to elect a cortes by the same right in virtue of which they had chosen the juntas, —the right of self-preservation; the right of appointing a government when they were without one; the right of recovering, maintaining, and establishing their freedom. The name and the nominal authority of Ferdinand served, indeed, as a rallying point for the Spaniards, and prevented the possibility of dissensions. A circumstance, sufficiently similar to be remembered as a precedent, had occurred in the history of the adjoining kingdom, when the Portugueze, in their struggle against the first usurpation of the Castillians, fought in the name of an infante who was a prisoner in Castille. By the fiction of supposing Ferdinand to be their king, they postponed the difficult and dangerous task of forming a new government; but it was only a fiction, and the difficulty was only postponed by it, sure to recur at last; for the most sanguine friends of that unhappy prince could scarcely think it possible that either he or any of his family would ever return from their place of imprisonment. There were, therefore, persons, who, when they considered the miserable misgovernment by which Spain and Portugal had been weakened and degraded, during so many generations, wished that both nations had taken their stand upon loftier ground; that they had given up the weak and unworthy dynasties of which they had so unexpectedly been rid, (dynasties equally weak and unworthy in their remotest branches) and united themselves in a federal commonwealth; a form of government peculiarly adapted for Spain, because of its previous division into different kingdoms, with different laws, and which would remove all objections to a union between the two countries. Had they proclaimed a revolution upon these principles, it is possible that the English government might, for a time, have withheld its assistance from them; but it is not less possible that they might have found

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allies in France itself. So bold a resolution, indeed, though the people might readily have acquiesced in it, was not to be expected, and some benefit in the early part of the struggle, undoubtedly arose from their attachment to Ferdinand, the principle of personal loyalty being to patriotism what image-worship is to piety. This political idolatry might safely be permitted while the idol was at a distance; and the Spaniards, by assembling the cortes, might constitutionally have strengthened their cause with all the resources of a popular government. The provisional system which was now adopted had none of these advantages, notwithstanding the primary derivation of its authority from the people. Neither, indeed, were the provincial juntas so much chosen by the people in the first instance, as they were recognized by it after they had constituted themselves:—they were chiefly composed of men whose influence arose from their rank or property, whose sanction was of the utmost importance in exciting the nation to take arms, but among whom it was little likely that the genius necessary for directing a country in such times would be found;—men, too, who, from the very circumstance of their possessing those adventitious advantages, were liable to be tempted by the intruder at the easiest price, and who, it might not unreasonably be suspected, if they found the patriotic cause declining, would be disposed to listen to his overtures. Subsequent events have shown with how much reason this was to be feared. A cortes would have been the best security against this danger; it would have realized all the benefits to the nation which the intruder falsely promised; and it would have opposed the Corsican tyrant with that energy of which free governments alone are capable, and with that which, of all things, he dreaded the most,—the principles of freedom.

The temporary expedient of a central * junta was preferred: they chose the palace of Aranjuez for the place of their sittings, and there the ceremony of their installation was performed, on the 25th of September. The archbishop of Laodicea, coadjutor of the archbishop of Seville, and one of the deputies from the junta of that province, celebrated mass, and administered to each of the appointed members the following oath, having previously, in their presence, taken it himself:—

* List of the Central Juntas.

Old Castile—Don Francisco Xavier Cano, Don Lorenzo Bonifaz; *Leon*—His excellency Seignor B. Valdes, Viscount Quintanilla; *Aragon*—Don Francisco Palafox y Melzi, El Int. Don Lorenzo Calvo; *Andalusia*—Count de Tilly, Don Francisco Saavedra, archbishop of Laodicea; *Gallicia*—Count de Ximarde, Don Manuel M. Atalle; *Asturias*—His excellency Don Gasper de Jovellanos, marquis of Campo Sagrado; *Valencia*—His excellency Prince Pio, his excellency Count of Contamina; *Murcia*—His excellency Count Florida Blanca, the Marquis of Villar; *Estremadura*—Don Martin de Garay, Don Felix de Ovalle; *Granada*—Don Luis Gines de Gines, Don Rodrigo Riquelme; *Catalonia*—Marquis de Villel, Marquis de Sabasona; *Cordova*—Marquis de la Puebla, Don Juan de Deos Rabi; *Jaen*—Don Sebastian de Tocano, Don Francisco Paula Castaneda; *Mujorca, and the adjacent Islands*—Don Tomas de Viri, Don Josef Sanglada de Tajores; *Toledo*—Don Pedro de Rivero, Don Josef Garcia de la Torre.

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"You swear by God and his holy evangelists, and by Jesus Christ crucified, whose sacred image you have here present, that, in the employment and functions of a member of the central supreme junta of government of the kingdom, you will defend and promote the preservation and increase of our holy, catholic, apostolic, and Roman religion; that you will be loyal to, and defend our august sovereign Ferdinand VII., and his rights and sovereignty; that you will promote the preservation of our rights and privileges, our laws and usages, and especially those relative to the succession in the reigning family, and those also which are particularly laid down in the same laws; and finally, that you will promote every thing conducive to the general welfare and happiness of this kingdom, and the amelioration of its customs, keeping secret every thing that should be so, protecting the laws from every evil, and persecuting their enemies, even at the hazard of your life, safety, and property. If you do so, God be your helper; and if not, may he punish you, as one who has taken his holy name in vain." *

This being performed, Te Deum was sung by the bare-footed monks of St Pasqual, and the assembly adjourned to the hall chosen for their meeting. Count Florida Blanca was appointed president *ad interim*, and his first act was again to proclaim King Ferdinand, from the great gallery of the principal front of the palace. The gates of the palace had been closed since the departure of Charles for Bayonne, and were now first opened, and the ceremony of thus proclaiming Ferdinand in the favourite residence of his ancestors, —the scene of his own childhood,— the place where, four months ago, he had been acclaimed king,—he who was now a prisoner, in the power of the tyrant who had betrayed him, and in a foreign land,—affected the venerable nobleman who first pronounced his name to tears, and excited thoughts of poignant sorrow and indignation in the multitude, which heightened and hallowed the enthusiasm with which they repeated it.

Copies of the act and oath of in-

* This oath has been condemned in England for its bigotry: they, however, who censured it, are not free from bigotry themselves, and have not understood the meaning of the Spaniards. The members of the junta swore to maintain their established religion; and, pernicious as that religion is, it would be absurd to suppose, that, while they and the people from whom they derived their authority believed in it, they should do otherwise. The promise of endeavouring to extend their religion, referred to their foreign empire, great part of which is more indebted for its security to the missionaries than to their own strength:—to increase that religion in the Spanish colonies is, therefore, to increase the number of Spanish subjects, and to extend, strengthen, and secure the Spanish possessions. Yet B. Flower says, in his Political Review, that this oath was "more becoming an army of mad crusaders than an assembly of patriots!" and, in his indignation at their Babylonish superstition, he overlooks the solemn engagement, taken at the same time, to promote every thing conducive to the general welfare, happiness, and improvement of the kingdom. The Te Deum of the bare-footed friars he calls a farce of religious mummery;—as if their songs of thanksgiving differed in any thing from a tabernacle hymn, except in the advantages of better music, better taste, a more awful occasion, and a costume worthy of the scene.

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stallation were sent by the supreme central junta to all the different councils and tribunals, requiring their members to take the same oath, and to issue their orders to all the subordinate juntas, provinces, magistrates, governors, and viceroys, to obey the new government, as the depository of the sovereign authority for Ferdinand VII.; the councils continuing in the exercise of their ordinary functions, but referring to the supreme junta whatever might exceed their powers, and all those matters upon which the sovereign ought to be consulted. The other tribunals immediately signified their prompt and unreserved obedience. The council of Castille, alone, delayed its answer five days, and then its president, the Duke del Infantado, returned an answer, saying, that, after the most serious consideration, the council had resolved to take the oath, and dispatch the necessary orders; that the supreme junta should be obeyed in whatever was ordered by them, for the service of the king, and for the benefit of the public cause: but the council, in discharge of its unalterable duty, would hereafter communicate to the supreme junta the result of its meditations for the preservation and observance of the laws. The same forbearance which had induced the patriots to let this council escape without punishment, and almost without stigma, was manifested by the junta in their reply to this cautious protest against their supremacy. They remarked that they had anxiously waited for the determination of this, the first tribunal in the kingdom, several days after all the others had expressed their joyful obedience: they were, however, perfectly satisfied, now that it had arrived, finding it express the same spirit of harmony and union for the common weal. But they desired the tribunal to remember that the present circumstances of the country were widely different from those under which the laws were made, and to acknowledge the supreme authority due to the government chosen by a people, which, in the king's name, and for his sake, had done all that had hitherto been achieved, without assistance.

Sept. 30.

The Leonese deputies to the supreme junta had been arrested by General Cuesta,—an act of violence which, thus early in the Spanish revolution, threatened a dispute between the civil and military authorities. Castanos interfered. That general, high in estimation, for the victory over Dupont, entered Madrid with a triumphal procesion, of which the artillery taken from the French formed a part. In the same spirit of policy or devotion, which had made him consecrate his trophies to King St Fernando, before he proceeded into the city, he offered up his thanksgivings to our lady of Atocha, an idol of great repute, which, according to its impudent legend, was either wholly made by St Luke, or carved by Nicodemus, and painted by the Evangelist, and brought to Spain by St Peter, from Antioch, to which place its history is traced by a ridiculous etymology of its name. Castanos was looked to by the people, in their alarm at this unexpected exertion of military power; and the successful general interfered in a manner highly honourable to him:—he wrote to Cuesta, asking him, on the

Aug. 23.

Sept. 18.

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part of the public, what offences the deputies had committed, their personal character being high, and one of them, Valdes, having performed distinguished services? What authority was competent to arrest and imprison them? Why, if they were delinquents, they had not been denounced to the juntas of their province? and why they were not accused before the central junta, then on the point of assembling?

Cuesta, in his answer, protested, that, having been nominated captain-general of Castille and Leon by Ferdinand VII., as principal and sole chief of those provinces, he was not bound to give an account of his conduct to any provincial government, being independent of all, till a general government or regency should be established; nevertheless, he stated the grounds on which he had arrested these deputies. He had formed the junta of Leon * and Castille, and confirmed Valdes as their president; but after the battle of Rio Seco, that junta seeing him pursued by the French, and abandoned by the Galician army, retired to Ponferrada; where, under the influence of Valdes, they intrigued with the junta of Coruna, in order to unite at Lugo, and from thence command both Castille and Leon, independently of the captain-general, who was to be made subordinate to their united assembly. This determination Valdes communicated to him, ordering him at the same time to deliver up his cavalry to Blake, the Galician commander-in-chief. Upon this he had declared his intention of abolishing what he called this fugitive junta, and commanded the inferior juntas to break off all communication with it. Finding, however, that the members still arrogated to themselves the authority of representatives of their provinces, and that they nominated Valdes and Quintanilla as their delegates to the central junta, he arrested them, with some others of their faction, and committed them to the state prison of Segovia. These men, he argued, had not been legally elected members of the central junta, and therefore the individuals of that body were not justified in interfering; nevertheless, he was ready to submit the whole affairs to the provisional government, as soon as it was formally constituted.

Cuesta's conduct, according to his own account, was illegal and despotic. The junta of Leon was already formed, when he increased its numbers, by adding deputies for Castille. The mischief of two generals acting together with powers independent of each other had been experienced at Rio Seco. The juntas of Galicia and Leon had agreed to place both armies under the general who had exhibited the best proofs of military talents; and this wise plan of union Cuesta opposed by force, and justified himself by the monstrous doctrine, that the junta held their authority from him, and not from the people. Castanos, having received this reply, communicated it to the council of Castille, and requested they would interpose.

e distinguished character of Valdes seems to have had great weight

* Castile seems to have had no junta of its own, being chiefly in the power of the French: a deputy from each intendency of Castille was added by Cuesta to the junta of Leon.

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in his favour; and the council dwelling upon this, and their alarm at so violent a measure as the arrest of the deputies of the people, remonstrated with Cuesta on the dangerous tendency of his conduct. He replied, "that the imprisonment of these men was the best means of preventing danger, as it would effectually prevent the doubts and discussions which might arise if a double set of deputies for Leon presented themselves at the central junta: that neither prudence nor justice permitted him to overlook the disloyalty, insurrection, and insubordination of a junta which he had created; and therefore, that, as Valdes was a general, he would order a council of war, consisting of generals, to be formed, and sit upon him, unless a sovereign regency should first be established; in which case he would submit to its decision their proceedings, and all his powers,—powers which he considered hitherto as independent of all other authority."

In consequence of this violence, the central junta assembled without the deputies from Leon: they therefore commanded the governor of Segovia to bring Valdes before them, (the other persons seem to have been set at liberty, Cuesta's vengeance being particularly directed against him;) and they ordered the general to leave his army, and come to give an account of his motives for arresting a member of their body. He attempted to settle the dispute by sending a deputy of his own appointment; but the junta, of course, refused to receive him, and declared Valdes the legal representative. Cuesta's rashness involved him in greater difficulties than he had foreseen:—the English agent, Mr Stewart, refused to give him any part of the money sent to the north of Spain for the patriotic armies,—a refusal made in conformity to the opinion of the government:—the general ventured to seize a considerable sum of this money; but he proceeded no farther in this military violence. Unable to resist the authority of the government, and the public opinion, especially when Castanos had expressed himself so decidedly against him, and probably having acted merely from hastiness of temper, and a defect of judgment rather than of good intention, he silently submitted to be deprived of his command.

The central junta, thus peaceably established, and unanimously recognized by the nation, began its administration with the fairest promises. They acknowledged the national debt, and took upon themselves the obligations contracted by the crown, which formed the patrimony of many families: these they pledged themselves punctually to pay, notwithstanding the great funds which were required to subsist, arm, and clothe the armies. That portion of the revenue which had formerly been swallowed up in the enormous expences of the royal household, or engrossed by the favourite, would, they trusted, enable them considerably to diminish the imposts laid upon the towns and villages; and great resources would be found in the property forfeited to the state by those who had betrayed their country. The sum total of the funds arising from these sources, from the regular revenues, and from the donatives and contributions of Spain and the Indies, they promised annually to publish in a printed statement, with an account of its expenditure. They would simplify, as far as possible, the revenue system, gradually suppress the innumerable useless of-

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fices, establish economy in all the branches of financial administration, and radically remove all the abuses introduced into it by the old government.

The duties which they proposed to themselves, and the benefits which they promised the people, were farther explained in an address to the nation; for they affirmed, it became them to inform the people of their situation, with a dignity becoming the Spanish character; and to establish, in a frank and generous manner, those relations of reciprocal confidence which should be the basis of every just and wise administration. A tyranny of twenty years, exercised by hands of unexampled incapacity, had brought them to the very brink of perdition: the nation was alienated from its government by hatred or contempt: every thing favoured the execution of the perfidious plot which Buonaparte had formed against them, when they rose to vindicate their rights, and became at once the object of the interest and admiration of Europe. Their situation was unexampled in their history, unforeseen by their laws, and, as it were, opposed to their habits. Great and wonderful things they had accomplished, but all their enthusiasm and all their virtue were required for what remained to be done. Their armies were full of ardour, but naked and unprovided with every thing. The remains of the French, collected behind the Ebro, were expecting reinforcements, and ravaging Upper Castille, Rioja, and the provinces of Biscay; Navarre and Catalonia were almost wholly in their power; they possessed the passes, and had made themselves, by what treachery was well known, masters of the strong frontier fortresses, and of Barcelona. The despot of France, deceiving, by the grossest impostures, the slaves who obeyed him, was striving to keep all other states in inactivity, that he might discharge the whole enormous weight of his military force upon Spain. The continental powers, oppressed, or insulted by France, were anxiously watching the issue of this first struggle, desiring to declare themselves against the common enemy of all, but proceeding with the timid circumspection which they had learnt from their past misfortunes. A general confederacy against the tyrant was evidently their only means of preservation; for what state could now hold relations of amity with him? who could now give credit to the words and promises of Buonaparte, or trust to his good faith? The fate of Spain was at once a lesson and a warning to Europe,—her resolution would serve as an example, her victories as an incentive; and the reprobate, who had trampled under foot the principles of justice, had placed himself in that fearful situation, that he must either become master of all, or perish in the struggle which he had so wantonly provoked.

But this co-operation would not be obtained till the Spaniards, by their exertions, and the wisdom of their measures, had given Europe such earnest of success as rendered victory certain: they must therefore call forth all their means, as if they were singly to contend against the whole power of France. The junta believed that it would be necessary to maintain 500,000 men in arms, besides 50,000 cavalry,—a force which, however disproportionate it might be confessed to be to their present situation, and to all former exiges-

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cies, was not more than the present times required. And what was this force, what were all the sacrifices that must be called for, when compared with the object for which the Spaniards were struggling, and the principles with which they were inspired? The power of their adversary was colossal, his ambition even greater than his power, and his existence incompatible with their liberty. His exertions were to be estimated by the barbarity of his character and the extremity of his danger; but they were the exertions of a tyrant, and would be confounded, when opposed to the constancy of a great and free people.

The last government—if that might be called government which was one continued and monstrous delapidation, had exhausted all the sources of prosperity. The resources which arose from the revenues of the royal household, from the enormous sums formerly devoured by the insatiable avarice of Godoy, from his collected rapine, and the confiscated estates, from a free trade, a well-arranged administration of the revenue, and regularly distributed contributions, had already been indicated. The succours already given so generously by England, and still to be expected from that nation, were to be added to these means. "But," said the central junta, "it is incumbent on us that these succours, which have been so opportunely given, and so gratefully received, and the effects of which have been so beneficial, should be hereafter recognized and recompensed with the reciprocity and decorum which becomes a great and powerful nation. The Spanish monarchy must not, in this respect, be placed in a state of inequality and dependence on its * allies. The produce of these various means would be great, but slow, and therefore insufficient for the urgent necessities of the state. Would they be sufficient to furnish for a time the ordinary supplies, discharge the great debt which must be incurred, and maintain the formidable army which must be kept up? If not, the government would at once have recourse to the nation, certain, from the fidelity with which its accounts would regularly be published, from the necessity and notoriety of the public wants, and the patriotism of the nation, that, although to evils so extraordinary as the present, remedies as extraordinary must be applied, its demands would neither be disregarded through distrust, nor detested as arbitrary.

The defence of the kingdom, and the means of providing for it, must necessarily be the first duty of the government; but it would fulfil only half its duties if it attended to this alone: other duties remained, to be the great reward of the virtue of the Spaniards and of their sacrifices. A little time only had past since, oppressed and degraded, ignorant of their own strength, and finding no protection against these evils, neither in the institutions nor in the laws, they had even regarded foreign dominion as less hateful than the wasting tyranny which consumed them. The dominion of a will always capricious, and most often unjust, had lasted too long: their patience, their love of order, their generous loyalty had too long been abused: it was time that law, founded on general utility, should com-

* From which of her other allies has England ever heard such language?

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mence its reign. This was the desire of their good and unfortunate king Ferdinand; this was what he pointed out, even in the captivity to which a perfidious traitor had reduced him. The name of their country ought no longer to be a vague and idle word to the Spaniards; henceforward it was to import to their ears and to their hearts the sanctuary of laws, the theatre for talents, the reward of virtue. Such a country the juntas solemnly promised that they should possess; and till the military operations, which must at first be slow, in order better to insure success, should furnish the leisure necessary for this great and solemn reform, the government would privately prepare for it. Instead of rejecting the advice of enlightened men, they desired and requested it. The knowledge and illustration of their ancient and constitutional laws; the changes which change of circumstances rendered necessary in their re-establishment; the reform which might be necessary in the civil, criminal, and commercial codes; projects for improving public education, which was in Spain so greatly on the decline; a system of regulated economy for the distribution and collection of the public revenue,—these were subjects for the investigation of wise and thoughtful men, and on which the opinions of such men were solicited. The junta would form different committees, each entrusted with a particular department, to whom all writings on matters of government and administration might be addressed; so that each contributing by his exertions to give a just direction to the public mind, the government might be enabled to establish the internal happiness of Spain."

What might not have been hoped for from men who commenced their administration with such pledges and professions? But this junta soon afforded an ominous proof, that, however enlightened and patriotic some of its members might be, the majority were either ignorant of the nature of freedom, or ready to betray it; for, after having thus called for the advice of every individual who thought himself qualified to give it, respecting reforms in the government, they issued an edict, prohibiting * the circulation of all books, pamphlets, or papers, printed without the names of their respective authors. Their measures for prosecuting the war, were as little correspondent to the plans which they had proclaimed. A military junta of five generals was formed at Madrid, that the central government, freed from the anxiety of directing the campaign, might give their undivided attention to the means of raising and supporting the armies, and the civil affairs. Castanos and Morla were members of this council of war: the people had confidence in both; but Morla was a traitor at heart; and it is not to be wondered at if nothing effective proceeded from a council in which he bore a leading part. The spirit of the people remained the same; yet, by the formation of a regular government, they were rather weakened than strengthened; for that confidence which every province had till now felt in itself, in its own measures and its own exertions, gave way, in some

* Redhead Yorke, in the true anti-jacobine language, calls this "making provision for the security of the freedom of the press, by preventing its licentiousness."

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degree, to a feeling of dependent reliance upon the central junta. The nation was ready for any sacrifices, any efforts, but it waited to be called upon; and the provincial and subordinate juntas, losing their consequence, lost with it a great portion of their activity.

While the government was deliberating instead of acting, the war was languidly conducted. The event most worthy of notice after the flight of the intruder is the siege of Gerona. As early as the 20th of June, that city had been attacked by a French force from Barcelona, under General Duhesme. His efforts were chiefly directed against the suburbs of St Clara, and he was repulsed. Occasional skirmishes were fought in the vicinity; but it was not till the 11th of August that the citizens were regularly summoned to surrender, and to acknowledge the intruder, unless they would expose themselves to all the evils of a vigorous siege, which would commence with the ruin and conflagration of the city. Duhesme added, that however he might have been calumniated, he was persuaded that many sensible and well-meaning people in Gerona, and the soldiers also, would do justice to the desire which he felt of preventing the misfortunes that impended over that unhappy place. The junta replied, that, from the moment when that city devoted itself to the just cause, they had foreseen the evils which were threatened; and that they were not intimidated, but would abide, with constancy, by their first resolution, in the belief that they did not want means to defend it.

Duhesme, accordingly, with a force of between 7000 and 8000 men, and 800 cavalry, marched against Gerona, and encamped before the town. He had with him a train of artillery sufficient for the siege; and neither the city nor its fort Monjui were prepared. The latter, on which the safety of the town depended, was soon reduced to extremity, and it was supposed could not hold out above twelve hours longer. Meanwhile, the Count de Caldagues collected all the forces he could for its relief; they did not amount to more than 6000, and of these only 300 were veteran troops. By a plan as well executed as it was concerted, and assisted by a sally from the fort, he drove this superior army from its encampment to the plain of Sarvia, where their cavalry protected them. The action continued the whole of the day. During the ensuing night, the French retreated in two divisions; one to Barcelona, the other to Figueiras, leaving behind them great part of their artillery, ammunition, and stores. The operations of the French during the siege were considerably impeded by the English ships on the coast of Catalonia. Captain Otway landed his marines to assist the patriots near Rosas, and repelled the French, when approaching to besiege that place. Lord Cochrane, co-operating with the Spanish militia, stormed the castle of Mongat, which commanded a pass in the road between Barcelona and Gerona, destroyed the castle, and broke up the road, so as to render it impassable for artillery.

Aug. 16.

The destruction of the French in their flight from Gerona would probably have been complete, had not the patriots been deficient in cavalry, the want of which had been more severely felt at Rio Seco. It was, indeed, obvious, that if ever a battle was fought in the plain country, its

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success must be decided by the cavalry; and yet no measures were adopted by the central junta for providing this essential kind of force. Don Francisco Riquelme, who commanded a division of the Galician army, suggested the propriety of importing horses from South America. They might be landed in Spain for seven or eight pounds a-head; they are used to little and coarse fare; they require no grooming; and the passage from America would take little more time than that from Spithead, without being exposed to many of the risks. This proposal was communicated to General Stewart, that it might be laid before Lord Castlereagh; but it was not attended to; and Riquelme, who might probably have obtained some attention to it from his own government, through General Blake, whose confidence he deservedly possessed, fell early in the campaign.

The provinces of Biscay, Navarre, and Catalonia, filled with French troops, and at all times exposed to fresh invasions, now that the passes and strong holds were in the possession of the enemy, could not declare themselves so early for the patriotic cause as those parts of Spain which were more favourably situated. Catalonia was now in arms; and, after his failure at Gerona, Duhesme could do little more than maintain himself in Barcelona. By land the patriots cut off his supplies, and the English intercepted them by sea, while Lord Cochrane kept the adjoining coast of France, as far as Marseilles, in perpetual alarm, by enterprises as wisely planned as they were fearlessly executed. Biscay took arms at the beginning of August. Before the flight of the intruder could be known there, a junta was formed at Bilbao. This place was of such importance to the French, that they sent 6000 men from Vittoria, with 400 cavalry, to recover it. It is a beautiful but defenceless city, commanded on every side by its hanging gardens. About half a league from the town, a body of patriots, far inferior in number, opposed them; but, having lost two of their leaders, one of them a brother of Castanos, they gave way, and the French entering the city, committed their usual atrocities there. A general and extraordinary junta of the province was now convoked by the invaders, under the presidency of the traitor Massaredo, a Biscayan. Few men in Spain have borne so high a character, before he sold himself to the Buonapartes, and few men have since so infamously distinguished themselves in the intruder's service.

Aug. 16.

Massaredo addressed this assembly, telling them the insurrection had been excited in Bilbao by worthless persons, of no weight in the province, enemies of tranquillity, who led the people astray for the purpose of fettering the general congress, and substituting a cruel anarchy in its place. These disturbances, he said, arose from the errors into which the public feeling had been led away, and from attending more to individual passion than to reason and the public good; and to such a height had these errors risen, that the sufferings of widows, the lamentations of children, the miseries of misguided families, and the general desolation, were accounted as nothing. Heaven grant, exclaimed the traitor, affecting to commiserate evils which he himself was instrumental in bringing on—Heaven grant that the mischiefs which our country has already

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endured be not followed by new disasters; for only by weighing well the dangers which threaten it, can it avoid them. There is no longer any uncertainty. The Emperor Napoleon cannot possibly depart from the resolution which he has taken. The great powers of the continent have acknowledged his brother as king of Spain, and have sent their ministers new credentials. Dreadful armies approach, for the purpose of establishing him upon his throne.—His majesty, however, had consigned to oblivion the mistakes and errors of the insurgents; he would punish only the heads and beginners of the insurrection; with regard to them, the law must take its course, for the purpose of preventing them, in future, from disturbing the repose and prosperity of their loyal countrymen." Massaredo was once a lover of liberty, and having professed generous and good principles, and perhaps at that time felt them, he must have known that the language which he now held was not less futile than it was base. To whom were the sufferings of the widows and the orphans, the bloodshed, the violations, the general desolation which he predicted, imputable? To the tyrant, whose will and pleasure it was to depose the lawful king of Spain, for the purpose of appointing his brother to succeed him, or to the nation who indignantly refused to have a stranger thus thrust upon them?

Bilbao remained a month in possession of the French; it was then retaken by the Marquis de Portazgo, and had not the advanced posts of his army inadvertently begun to fire too soon upon the enemy, at a time when their approach was not suspected, the whole of the garrison would have been made prisoners. After an action of between three and four hours, the French fled, losing about 400 men. But considerable bodies of French had now passed the Pyrenees, and Marshal Ney, who arrived at the end of September, to take the chief command in Spain, feigning to retreat upon Vittoria, for the purpose of deceiving Portazgo, suddenly marched for Bilbao, with the centre of his army. The marquis, aware of his inferiority, drew off in time, with all his artillery, not losing a single man, and took up a position at Balmaseda. There he was joined by a detachment of the Galician army, under Riquelme. Blake, who commanded on the part of Spain, immediately made preparations to recover the city; but General Merlin, whom Ney had left to command there, not waiting to be attacked, evacuated it on the night of the 11th of October.

Sept. 20.

Sept. 27.

The French force at this time amounted to about sixty thousand men. They had the Bay of Biscay on their right, the Ebro on their front, and the river and province of Aragon on their left. The Spanish armies were nominally 130,000; but it is probable that they were never, in fact, half this number. The left, or western army, under Blake, did not amount to 20,000, including those regiments which had escaped from Denmark. The line which he occupied extended from Burgos to Bilbao, and he was advancing beyond the latter city, to cut off the communication of the French forces. Palafox commanded the eastern army, or that of Aragon and Valencia, part of which was stationed near Zaragoza, and part advancing toward the Pyrenees, on the left of

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the French, and out-flanking them as Blake did on the west. The central force was under Castanos, the three armies being in form of a crescent. It was of great importance that some decisive blow should be struck against the enemy, while the impression made upon them by so many defeats was still fresh, and before farther reinforcements should enable them again to act upon the offensive. But they were in a strong country, the strong holds were in their possession, supplies and succours were continually arriving, and they were certain that powerful armies were on their way to support them. They were also well provided with cavalry, artillery, and stores, and, in every respect, well equipped; the men disciplined soldiers, the generals perfect in the science of war. But the Spanish armies were composed of fresh levies, ill disciplined, ill clothed, ill armed, and even ill fed. Great expence, as well as great activity and talents, is necessary in the business of providing an army with food; and, if the commissariat department of our own establishment is so mismanaged as to cripple our armies, and render even their victories useless, it is not to be wondered at if the Spaniards, under their complicated disadvantages, were grievously defective in the main branch of the military art. This, doubtless, was one cause why the number of their armies fell so far short of the computed and necessary force. But this was not their only deficiency. Blake was an able general,—Palafox a man unquestionably of the highest genius; but that genius, which has distinguished him above all other men, was not adapted for the complicated movements of an army, as it was for what may be called the domestic warfare of Zaragoza. Castanos had obtained greater reputation than he had talents to support. In each of these generals, who were invested with equal power, the soldiers had sufficient confidence,—but this confidence did not extend to their other officers; many of them they knew to be unexperienced; and this distrust was but too likely to pass into a suspicion of treachery. In the commencement of all revolutionary wars, this evil has occurred; the French themselves experienced it in a great degree: it was not till all their first generals had disappeared, and many of them had perished, by the hands of the soldiers or the executioner, some innocently, but others deservedly, that their armies began to acquire confidence, and that race of officers to appear, which has been so successfully kept up, to the misfortune of Europe.

During more than two months, nothing but trifling skirmishes took place between the two armies, except the double capture and recapture of Bilbao. Meantime, the country beyond the Ebro was, for the most part, possessed by the French, and their superiority in cavalry enabled them to extend their ravages on every side. The fatal error of exaggerating the success of the patriots, and representing the final deliverance of Spain as not only a certain, but a near and almost immediate consequence, produced effects which ought to have been foreseen. Many persons were prevented from joining the armies, because, according to accounts which were published of the state of the war, their services might well be dispensed with; all who believed them to their full extent were made impatient for the

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accomplishment of hopes which they had been taught so confidently to expect; and the government itself either partook of, or yielded to the impatience of the people. The wise precautions with which the junta of Seville began the war were forgotten or neglected, and the central junta called upon the generals to hasten their operations against the enemy. However just, they said, the reasons might have been for delay, it had been mischievous, and many evils must be increased by it, especially if the enemy should receive their expected reinforcements. Such inactivity could no longer be borne with indifference, and an end must be put to it. They *Oct.* 18. therefore appointed Don Francisco Palafox to go as their representative to the armies, with the Marquis de Coupigni, and the Count de Montijo under him, to consult with the generals, concert with them a plan of operations, and himself decide upon such attack as he might think expedient. The honours due to him, they added, as their deputy, were to be the same as those due to a captain-general of the army.

Such a commission manifested only the incapacity of the central junta, and their want of confidence in the generals. The inactivity of which they complained, proceeded from want of skill in some of their commanders, and want of adequate force. Blake, with all his zeal, and all his talents, was crippled, because he had no cavalry: the English, who were to have co-operated with him, were detained in Portugal till the close of October, to protect Junot and his army from the Portugueze; and then they had to march by land several hundred miles, instead of going by sea, and landing as near as possible to the scene of action, because their transports were employed in conveying the enemy to France! Before the revolution in Spain offered to this country so fair a hope,—rather so compleat a certainty, of bringing our long war to a happy termination, had measures sufficiently vigorous been pursued,—Mr Canning * had declared his opinion, that we possessed in our navy a greater power of active hostility than the nation was perhaps itself aware of,—a power, he said, scarcely inferior to that of a conquering army, and sufficient to controul even the haughty mind of the ruler of France. Now was the time to have brought that power into action, to put forth the whole strength of our fleets and armies, to have seized St Sebastians and Passage, landed our forces in the rear of the French, and have destroyed all who were within the peninsula before other armies could come to their assistance. An hundred thousand men would certainly have effected this; they would have swept the neck of the peninsula from sea to sea, have cleared it for the Spaniards, and should then have left them to defend it. From a military establishment of thrice that number, an hundred thousand men could well have been spared, or two hundred, for an enterprize of which the object was so important, and the event so calculably certain. Nor would there have been any difficulty in transporting such an army, if ships of war, as they are in every respect the fittest for the purpose, had been employed for it. Unhappily the enemy of Spain was more active than her ally.

* See page 36.

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CHAP. XXI.

Long silence of the French Government respecting the Affairs of Spain—Reports from the Minister of Foreign Affairs—Buonaparte's Speech to his Troops—Conscription for 1810 *called out—Meeting with the Czar at Erfurth—Proposal for Peace, and subsequent Correspondence—Buonaparte enters Spain—Exposition of the state of the French Empire.*

Buonaparte had not expected a patriotic revolution in Spain. Sure of the members of the old government, and of many of the grandees and nobles; having stripped the country of its best troops, and kidnapped the whole royal family, the people, he thought, if they attempted opposition, would instantly be crushed by the overpowering force which he had marched into the heart of the kingdom, and effectually intimidated by the first slaughter, and the military murders which followed it. It has ever been his policy, and in this it is that the main wisdom of his policy has consisted, to ensure success, as far as the employment of adequate means can render the end certain. On this occasion, as in his expedition to St Domingo, his calculation was erroneous; for the character of the Spaniards, and the strength of good principles, had not been taken into the account. Wholly unprepared, therefore, for such a resistance, his first care was to conceal from the French all knowledge of the mortifying reverses his arms had experienced; while he secured the subserviency of the other continental powers, and collected fresh armies to pour into Spain.—Accordingly, while all Spain was in arms, the French papers represented it as joyfully welcoming its new sovereign. "The disturbances," they said, "which broke out in a few of the provinces were completely quelled: they were occasioned only by the common people, who wished to take advantage of the suspension of government, that they might pillage the rich: the disaffected had got together some bands of smugglers, opened the prisons, and put arms into the hands of the felons: these wretches had committed great excesses upon their peaceful countrymen, but every thing was now quiet. The captains-general, the magistrates, and the polished part of the nation displayed the best sentiments, and the greatest repose and best state of mind prevailed. At Cadiz, the public tranquillity did not experience a moment's interruption; the inhabitants of that interesting city had resisted with the

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firmest resolution, all the insidious offers of the English. Throughout the peninsula, indeed, a few insignificant individuals only had been led astray by the spies of England. But the council of Castille, and the most respectable persons in Spain, had exerted their influence with all ranks, to crush the seeds of sedition before they should shoot forth; and their efforts had been completely successful." Over great part of France and of the continent these accounts would be believed; wherever, indeed, a vigilant and suspicious despotism could keep out all information except its own. But at Bayonne it was not possible that the truth could be concealed; and by the extraordinary falsehood which was officially circulated in that part of the country, it seems as if the general opinion was strongly and alarmingly against a war, provoked solely for the aggrandizement of the Buonaparte family. M. Champagny addressed a note to the prefect of the Gironde, *June* 8. informing him, that the emperor had just received advices from his brother the king of Holland, saying, that the king of England was dead, and that the first act of George IV. was to make a total change of ministers. This was not given as a report, but as an authenticated fact, officially communicated: and may this event, it was added, be the presage of a general peace,—the object of the emperor's wishes, of the want of which Europe is so sensible, and which would be so advantageous to the commerce of Bourdeaux in particular! This is a remarkable instance of the effrontery with which the French government circulates false intelligence, to delude the people.

It was not till the sixth of September, two months after the capture of the ships at Cadiz, and the surrender of Dupont's army, and five weeks after the flight of the intruder from Madrid, that any account of the affairs of Spain appeared in the French papers, except such falsehoods as have been here exemplified. A long narrative was then officially published, written with the usual falsehood of the French government, but not with its usual skill. The insurrection, as it was called, was ascribed entirely to the artifices and bribes of England, assisted by the monks and the inquisition,—the inquisition, which had lent its whole authority to the usurpation! Great stress was laid upon the excesses which the patriots had committed, in putting to death the partizans of France; whereas the list of persons who were here said to have suffered, and suffered justly, (for this account claimed them as martyrs in the intruder's cause,) did not equal in number the victims of one *noyade* in the Loire, scarcely exceeded that of one day's allowance for the guillotine in Paris. The military detail, which was called a correct abstract of the events of the campaign, was composed with the most studied and inextricable confusion; all order of time and place was inverted and involved—and facts, exhibited thus piece-meal, were still farther disguised by suppression, exaggeration, and falsehood. At Valencia, it was said, French intrepidity overcame every obstacle: twenty pieces of artillery were taken; the suburbs were carried, and the streets strewed with dead bodies:—this indeed was true; but they were the bodies of the French. At Zaragoza, fourteen cloisters, which had been fortified, three-fourths of the city, the arsenal, and all the

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magazines were in their possession. That unfortunate city was almost ruined by fire, the bombardment, and the explosion of mines. Not a hint was given of the event of that memorable siege. The loss of the fleet was not mentioned. Dupont was so spoken of, as to make it evident, that, if he returned to France, his life would atone for his failure. After a succession of disasters, which could not be accounted for, he had had the inexpressible misfortune of having his communication with Madrid cut off,—he had been compelled to give battle in a disadvantageous position, with one-third of his army, after a forced night march; and, manifesting an equal deficiency of political as of military talent, had suffered himself to be deceived in negociations. This unexpected event, the numerous descents of the English upon the coast of Galicia, (where no English had landed, except a few officers,) and the excessive heat of the season, had induced the king to assemble his troops, and place them in a cooler climate than that of New Castille, and in a situation possessing a milder atmosphere, and better water:—therefore, he left Madrid, and the army went into cooler cantonments. The bodies of insurgents scarcely deserve to be mentioned: they defended themselves behind a wall or a house; (thus it was that the heroic defence of Zaragoza was admitted!) but a single squadron of cavalry, or a battalion of infantry, was sufficient to put many thousands of them to the route. "All that the English papers have published," said Buonaparte's gazetteer, "respecting the affairs of Spain, is unfounded and false. England knows well the part that she is acting; she also knows well what she is to expect from all her efforts. Her only object is to involve Spain in confusion, that she may thereby make herself mistress of such of her possessions as best suit her purposes."

At the same time that this narrative was published, two reports from the minister of foreign affairs were laid before the French senate. The first of these bore date from Bayonne, so far back as the 24th of April. Hitherto the modern powers of Europe had always thought it necessary to hold forth some decent pretext for engaging in hostilities, however base or criminal might be the latent motives—but the semblance of moral decorum was now contemptuously laid aside; and in this state paper Buonaparte was advised to seize upon Spain, for the purpose of carrying on the war against England more effectually, every thing being legitimate which led to that end. No state in Europe was more necessarily connected with France than Spain: she must be either a useful friend, or a dangerous enemy—an intimate alliance must unite the two nations, or an implacable enmity separate them. Such an enmity had in old times become habitual:—the wars of the 16th century proceeded as much from the rivalry of the nations as of the sovereigns: the troubles of the league and the Fronde had been excited and fomented by Spain, and the power of Louis XIV. did not begin to rise, till, having conquered Spain, he had formed that alliance with the royal family which ultimately placed his grandson on the throne. That act of provident policy gave to the two countries an age of peace, after three ages of war: but the French revolution broke this bond of union; and the Spanish Bourbons must always, through their af-

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fection, their recollection, and their fear, be the secret and perfidious enemies of France. It was for the interest of Spain, as well as of France, that a firm hand should re-establish order in her affairs, now that a feeble administration had crippled her government, and led her to the brink of ruin. A king, the friend of France by sentiment and by interest, having nothing to fear from her, and not being an object of distrust to her, would appropriate all the resources of Spain to her interest, and to the success of that common cause which united Spain to France and to the continent. Thus would the work of Louis XIV. be re-established.—What policy suggests, said the report, justice authorizes; and it proceeded to seek out proofs of a hostile disposition in the Spanish Bourbons, in the most false and frivolous pretences. The increase of their army before the battle of Jena, was said to be really a declaration of war: the laws of the customs were directed against French commerce: French merchants were aggrieved, while the ports were open to the contraband trade of England, and English merchandize was spread through Spain into the rest of Europe: Spain, therefore, was actually in a state of war with the emperor.

Even M. de Champagny, however, had not the effrontery to press this conclusion. Exclusive of this, he said, existing circumstances did not permit the emperor to refrain from interfering in the affairs of Spain. The king had been precipitated from his throne, and he was called upon to judge between the father and the son. What part would he take? Would he sacrifice the cause of sovereigns, and sanction an outrage against the majesty of the throne? Would he leave on the throne a prince who could not withdraw himself from the yoke of England? In that case, France must constantly keep a powerful army on foot in Spain. Would he reinstate Charles IV.? That could not be effected without overcoming a great resistance, and shedding French blood. And should that blood, of which France was prodigal for her own interests, be shed for a foreign king, whose fate was of no consequence to her? Lastly, would he abandon the Spanish nation to themselves, and while England was sowing the seeds of trouble and of anarchy, leave this new prey for England to devour? That was not to be thought of. The emperor, therefore, occupied, of necessity, with the regeneration of Spain, in a manner useful to that kingdom and to France, ought neither to re-establish the dethroned king, nor to leave his son upon the throne; for in both cases it would be delivering her to the English. Policy advised, and justice authorized him to provide for the security of the empire, and to save Spain from the influence of England.

Thus was the principle, that whatever is profitable is right, openly proclaimed by the French government, —a principle which the very thief, on his career to the gallows, dares not avow to himself. Another report from the same minister, whose name will be handed down to lasting infamy, for the part which he has borne in these atrocious transactions, was laid before the senate at the same time. It was *Sept.* 1. of four months later date, though the former report was probably not written till it was thought expedient to publish it. The Corsican needed no adviser in his con-

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duct at Bayonne; and if his usurpation had been passively submitted to by the Spaniards, Spain would have then been represented as the brave and faithful ally of France, and the new dynasty would then have been exhibited as the reward of her loyalty, which was now to be the means of curbing her hostile disposition.—This second report began by proposing to the emperor that he should communicate to the senate the two treaties which had placed the crown of Spain in his hands, and the constitution, which, under his auspices, and enlightened by his advice, the junta at Bayonne, after free and mature deliberation, had adopted, for the glory of the Spanish name, and the prosperity of Spain and its colonies. "He had interfered with Spain," it said, "as a mediator, but his persuasive means and his measures of wise and humane policy had not been successful. Individual interests, foreign intrigues, and the influence of foreign corruption had prevailed. Why is it so easy to lead nations to their ruin by letting loose their passions?"—After these shameless falsehoods and senseless exclamations, in the manner of his country eloquence, M. de Champagny proceeded to repeat his former assertion, that all the disturbances in Spain were occasioned by English gold. Would, then, his majesty permit England to say, 'Spain is one of my provinces! My flag, driven from the Baltic, the North sea, the Levant, and even from the shores of Persia, rules in the ports of France?' No, never! To prevent so much disgrace and misfortune, two millions of brave men were ready to scale the Pyrenees, and chase the English from the peninsula. If the French fought for the liberty of the seas, they must begin by wresting Spain from the influence of the tyrant of the ocean. If they fought for peace, they could not obtain it till they had chased the enemies of peace from Spain. If they fought for honour, they must promptly inflict vengeance for the outrages committed against the French name in Spain.

The probability of meeting the English at last, of fighting them man to man, of making them feel the evils of war themselves,—evils of which they were ignorant, having only caused it by their gold, was represented as no small advantage. They will be beaten, said M. de Champagny, destroyed, dispersed, or, at least, they will make haste to fly, as they did at Toulon, at the Helder, at Dunkirk, in Sweden,—wherever the French armies have been able to find them: but their expulsion from Spain would be the ruin of their cause; it would exhaust their means, and annihilate their last hope. In this contest the wishes of all Europe would be with France! It was added, however, that the court of Vienna, though it constantly testified the most amicable intentions, was carrying its armaments beyond measure, and increasing its military force out of all proportion to its population and finances. The emperor would therefore perceive the necessity of augmenting his armies, for the purpose of preserving the relative superiority between the power and population of the two empires.

These reports, with the two mock treaties of Bayonne, were laid before the senate, and, at the same time, a report of the war minister was presented. France, it was said, had never possessed more numerous or better appointed armies, neither were they ever better kept up, or better

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provisioned. Nevertheless, the events which had taken place in Spain had occasioned a pretty considerable loss, in consequence of an operation, as inconceivable as it was painful, of the division under General Dupont. His majesty had notified his resolution of assembling more than 200,000 men beyond the Pyrenees, without weakening either the armies in Germany or that in Dalmatia. A levy of 80,000 was therefore indispensable, and these could only be taken from the four classes of the conscription of the years 1806, 7, 8, and 9, which, exclusive of the men who had married within those years, might furnish 600,000. In levying 80,000, only one conscript out of seven would be called out, and the vacancies in the armies would thus be filled up with soldiers of 21, 22, and 23 years of age, that is, with men fit to undergo the fatigues of war. It is apparent, from what follows in the report, how cruelly this would press upon the people, and how severely they would feel it. "It is true, sire," said the war minister, "that the custom observed of late years might, to a certain degree, induce a part of your subjects to consider themselves as released from the duty of the conscription, from the moment that, upon the total mass, they had furnished the contingent required for the year; and, under this point of view, what I propose to your majesty might appear to require from your subjects a sacrifice; but, sire, there is no one but knows, that, by the words of the law, your majesty would be authorised to call to your standard the whole of the conscription, not only of the last four years, but even of the antecedent years: and even were there question of a real sacrifice, what sacrifice is it that your majesty has not a right to expect from the love of your subjects? Who among us is ignorant that your majesty wholly sacrifices yourself for the happiness of France, and that upon the speedy accomplishment of your high designs depend the repose of the world, the future safety, and the re-establishment of a maritime peace, without which France can never enjoy calm and tranquillity. In proposing to your majesty to declare, that henceforth no retrospective call shall take an antecedent conscription, I only participate, sire, in your paternal wishes. I think it expedient, at the same time, to propose to your majesty to order out the conscription of the year 1810, and to determine the amount of it, from the present instant, at eighty thousand men—to furnish the means, as occasion may require, of forming camps of reserve, and of protecting the coast in the spring time. This conscription would be raised only under the apprehension of a war with other powers, nor would it be called out before the month of January next."

Thus, then, it appeared that those persons who had escaped from the conscriptions of four years were again to stand the hazard of this dreadful lottery, and that of the unmarried men, between the ages of 21 and 23, one in seven was to be sent to the armies!—and this draught upon the morality, the happiness, the vital strength, the flesh and blood of the French people was required, because their Corsican master had thought proper to appoint his brother to be king of Spain! The promise that no retrospective conscription should again be called for, shows plainly what the feelings of the nation were at such a measure, when Buonaparte thought it necessary to sooth them, by thus declaring, that it was not to

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be repeated. This was not all: one year's conscription had already been anticipated, another year was to be levied in advance, and 80,000 men, whose services, by these baleful laws, were not due till 1810, were now to be called forth. This was necessary, the report said, because England and Austria were increasing their armies; and it was an evil inseparable from the present state of Europe, that France must increase hers in the same proportion. A suspicion of the intentions of Austria was now clearly intimated. Its armaments, the war minister declared, had often excited his solicitude. He had been told by the minister for foreign affairs, that the best understanding prevailed with the court of Vienna; but though it did not belong to his department to dive into the views and interests of states, and explore the tortuous labyrinths of politics, it was his duty to neglect nothing for preserving to the French armies, at all points, that just superiority which they ought to possess. The plan which he had proposed would give the army of Spain 200,000 men, without weakening the other armies, and the conscription of 1810 would increase the armies of Germany, of the North, and of Italy, by more than 80,000. From such a force what could be expected but the speedy re-establishment of the tranquillity of Spain, of a maritime peace and of that general tranquillity, the object of the emperor's wishes? Much blood would be spared, because so great a number of men would be ready to shed it. Here the tyrant's principle is right: and grievously is that parsimony of strength on the part of his mightiest enemy to be lamented, which, by never sending a force sufficient to ensure its object, has wasted all that it has sent.

A message from Buonaparte accompanied these reports, when they were laid before the senate.

Sept. 4. He spoke of a revolution in Turkey, in which the sultan Selim had perished, as a catastrophe which deeply affected him: he mentioned his firm alliance with Russia, and said, that he had no doubts of the peace of the continent, but that he ought not to rely upon the false calculations and errors of other courts; and since his neighbours increased their armies, it was a duty incumbent upon him to increase his: he therefore imposed fresh sacrifices upon his people, which were necessary to secure them from heavier sacrifices, and to lead them to the grand result of a general peace. "I am determined," said he, "to carry on the war with Spain with the utmost activity, and to destroy the armies which England has disembarked in that country. The future security of my subjects, a maritime peace, and the security of commerce, equally depend upon these important operations. Frenchmen, my projects have but one object in view—your happiness, and the permanent well-being of your children; and if I know you right, you will hasten to comply with this new call, which is rendered necessary by the interests of the country."

In the first of Buonaparte's three constitutions for France, the affectation of Roman titles, and the false taste with which they were applied to offices essentially different, were equally to be remarked. The name of senate, however, was well retained under his imperial government, just such a senate having existed during

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those disgraceful ages of the Roman empire, when a despotism, similar to that which he has established in France, was degrading their country, and preparing the way for the universal barbarism and misery which ensued. The baseness of those wretches who sanctioned the iniquities and cruelties of Tiberius and Caligula was equalled by the obsequious senators of the Corsican. On the day after his message had been presented, they voted an address, echoing the gross and palpable falsehoods of his assertions, applauding his measures, and appropriating to themselves, and, as far as the crimes of a government can be imputed to the people, to the French nation also, the guilt of his conduct towards Spain. "Your majesty," said they, "desires to defend solemn and voluntarily concluded treaties—to maintain a constitution freely discussed, adopted, and sworn to by a national junta—to suppress a barbarous anarchy, which now covers Spain with blood and mourning, and threatens our frontier—to rescue the true Spaniards from a shameful yoke, by which they are oppressed—to assure to them the happiness of being governed by a brother of your majesty—to annihilate the English troops, who unite their arms with the daggers of the banditti—to avenge the French blood, so basely shed—to put out of all doubt the security of France, and the peace of our posterity—to restore and complete the work of Louis XIV.—to accomplish the wish of the most illustrious of your predecessors, and particularly of him who was by France most beloved—to extend your great power, in order to diminish the miseries of war, and to compel the enemy of the continent to a general peace, which is the sole object of all your measures, and the only epoch for the repose and prosperity of our country. The will of the French people is, therefore, sire, the same as that of your majesty. The war with Spain is politic, just, and necessary."

If the transactions which are the subject of this history had passed in remote ages, and such a narrative as is here presented had been preserved to us, it would scarcely be possible, when we found the government of a great nation, like France, thus solemnly approving and ratifying the conduct of its emperor, not to suspect that the history had been handed down in an imperfect state; that some facts had been suppressed, and others distorted; for, however credible the usurpation itself might appear, as the act of an individual tyrant, that it should, with its attendant circumstances of perfidy and cruelty, be thus represented as a just and necessary act, by the senate, and made the ground of a national war, is something so monstrous, that it would startle our belief; and, for the honour of human nature, we should hesitate before we trusted human testimony.

The conscription for which the tyrant called was decreed by this assembly—an assembly constituted for no other purpose than that of being his organ, and executing his will and pleasure. A few days afterwards, Buonaparte addressed his troops at the parade. "Soldiers," said he, "after having triumphed on the banks of the Danube and the Vistula, you have passed through Germany by forced marches. I shall now order you to march through France, without allowing you a moment's rest. Sol-

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diers, I have occasion for you! The hideous presence of the leopard contaminates the continent of Spain and Portugal. Let your aspect terrify and drive him from thence! Let us carry our conquering eagles even to the pillars of Hercules: there also we have an injury to avenge!" The capture of the French squadron at Cadiz, had never been published in France, and this hint is the only notice that ever was publicly taken of it. "Soldiers," he pursued, "you have exceeded the fame of all modern warriors. You have placed yourselves upon a level with the Roman legions, who, in one campaign, were conquerors on the Rhine, on the Euphrates, in Illyria, and on the Tagus. A durable peace and permanent prosperity shall be the fruits of your exertions. A true Frenchman can never enjoy any rest till the sea is open and free. Soldiers, all that you have already atchieved, and that which remains to be done, will be for the happiness of the French people, and for my glory, and shall be for ever imprinted on my heart."

The preparations for war were answerable to the ferocity and arrogance of this harangue. All the roads to Spain were thronged with troops, marching from all parts of France and its dependencies towards the Pyrenees. While they were on their march, Buonaparte set out for Germany, to meet his confederates; that is to say, his dependent German princes, and the Czar Alexander, at Erfurth. Some of the performers of the *Theatre Française* had orders to precede him, that these potentates might be provided with amusement. What past at this meeting has not transpired, though it cannot be doubted that the main object was to take measures for over-awing Austria, and arranging the co-operation of Russia, and the confederacy of the Rhine against her, if she attempted to avail herself of the war in Spain. An opportunity was taken of giving the imperial Alexander a momentous hint of the superiority of his new friend:—Buonaparte took him to the field of Jena; a temple, dedicated to Victory, was erected on the spot where the French emperor had past the night previous to the battle; tents were pitched round it; and, after a sumptuous breakfast, the Czar was led over every part of the ground which the two armies had occupied, and left to make his own reflections upon the spot where Prussia received the reward of its long subserviency to France, and of its neutrality when the fate of the continent was upon the hazard. The immediate consequence of the meeting was a proposal for peace to Great Britain.

These overtures were made in the customary diplomatic forms; but they were accompanied by a joint letter from the Emperors of France and Russia to the King of England. Having been brought together at Erfurth by the circumstances of the continent, their first thought, they said, had been to yield *Oct.* 12. to the wishes and wants of every people, and to seek, in a speedy pacification, the remedy for the common miseries of Europe. The long and bloody continental war was at an end, and could not possibly be renewed. Many changes had taken place, many states had been overthrown. The cause was to be found in the evils arising from the stagnation of maritime commerce. Still greater changes might yet occur, and all of them contrary to the policy of the English nation. Peace was their interest, as well as the in-

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terest of the continent. We unite, therefore, said they, in intreating your majesty to listen to the voice of humanity, silencing that of the passions; to seek, with the intention of arriving at that object, to conciliate all interests, and by that means to preserve all the powers which still exist; and to ensure the happiness of Europe, and of this generation, at the head of which Providence has placed us. The official notes stated, that Russian plenipotentiaries would be sent to Paris, there to receive the answer of England; and that French plenipotentiaries would repair to any city on the continent, to which the King of Great Britain and his allies should send theirs. It was added, that the King of England must, without doubt, feel the grandeur and sincerity of this conduct on the part of the two emperors; that their union was beyond the reach of all change; and that it was formed for peace as well as for war.

In answer to the Russian minister, it was stated, that however desirous his majesty might be to reply directly to the Emperor Alexander, the unusual manner in which his *Oct.* 28. letter was drawn up, deprived it entirely of the character of a private and personal communication, and it was impossible to adopt that mark of respect towards him, without, at the same time, recognizing titles which the King of England never had acknowledged. This was a needless demurral. We have sent ministers to treat with Buonaparte since he has been Emperor of France,—surely this was, to all intents, an effectual recognition of his title. It was weakening the moral strength of our cause, to rest, even for a moment, upon a point of punctilio. In all other respects, the correspondence on the part of England was worthy of the cause. An immediate assurance that France acknowledged the government of Spain as party to any negociation, was declared to be absolutely necessary: that such was the intention of the Emperor of Russia, it was added, his majesty could not doubt. He recollected the lively interest which that emperor had always manifested for the dignity and welfare of the Spanish monarchy, and wanted no other assurance that he could not have been induced to sanction, by his concurrence, or by his approbation, usurpations, the principles of which were not less unjust than their example was dangerous to all lawful sovereigns.

The letter of the two emperors was fully and most ably answered in an official note, which, like all Mr Canning's state papers, is distinguished by its pointed and powerful style. The king's readiness and desire to negociate a peace on terms consistent with his own honour, and with the permanent security of Europe, were repeated. If the condition of the continent were one of agitation and of wretchedness, if many states had been overthrown, and many more were still menaced with subversion, it was a consolation to the king to reflect, that no part of those convulsions could be in any degree imputable to him. Most willing was he to acknowledge that all such dreadful changes were indeed contrary to the policy of Great Britain. And if the cause of so much misery was to be found in the stagnation of commercial intercourse, although he could not be expected to hear with unqualified regret that the system devised for the destruction of the commerce of his subjects had recoiled

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upon its authors or its instruments, yet it was neither in his disposition, nor in the character of the people over whom he reigned, to rejoice in the privations and unhappiness even of the nations which were combined against him. He anxiously desired the termination of the sufferings of the continent. The war in which he was engaged was entered into for the immediate object of national safety; but, in its progress, new obligations had been imposed upon him, in behalf of powers whom the aggressions of a common enemy had compelled to make common cause with him, or who had solicited his assistance and support in the vindication of their national independence. The interests of Portugal and of Sicily were confided to his friendship and protection; and he was connected for peace, as well as for war, with the king of Sweden. To Spain he was not yet bound by any formal instrument, but he had, in the face of the world, contracted with that nation engagements not less sacred, and not less binding upon his mind than the most solemn treaties. He therefore assumed, that, in an overture made to him for entering into negociations for a general peace, his relations subsisting with the Spanish monarchy had been distinctly taken into consideration, and that the government acting in the name of his Catholic majesty, Ferdinand VII., was understood to be a party to any negociation in which he was invited to engage.

Nov. 8. The answer of the Russian minister was, that the admission of the sovereigns in alliance with England could not be a point of any difficulty; but the principle by no means extended to the necessity of admitting the plenipotentiaries of the Spanish insurgents, and the Emperor Alexander could not admit them. He had already acknowledged King Joseph Napoleon; he was united with the Emperor of the French; and he was resolved not to separate his interests from those of that monarch. But Count Romanzoff added, he saw, with pleasure, that, in this difference of opinion respecting the Spaniards, there was nothing which could either prevent or delay the opening of a congress; because his Britannic Majesty had himself admitted, that he was bound to no positive engagement with those who had taken up arms in Spain.—Count Romanzoff did not intend to insult a British king, by telling him he might violate his word and honour, because he was not bound to keep them by any formal instrument;—but M. de Champagny's reply was intentionally insulting. "How," said he, "is it possible for the French government to entertain the proposal which has been made to it, of admitting the Spanish insurgents to the negociation? What would the English government have said, had it been proposed to them to admit the Catholic insurgents of Ireland? France, without having any treaties with them, has been in communication with them, has made them promises, and has frequently sent them succours." The insolent Frenchman did not perceive what warning this utterly irrelevant argument held out to the disaffected in Ireland, by thus plainly informing them, that however Buonaparte might promise them support, he was at all times ready to abandon them, whenever it might suit his views. Menacing language was then introduced. England, we were told, would find herself under a strange mistake, if, con-

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trary to the experience of the past, she still entertained the idea of contending successfully, upon the continent, against the armies of France. What hope could she have, especially when France was irrevocably united with Russia? France and Russia could carry on the war till the court of London recurred to just and equitable dispositions; they were resolved to do so; and the English were admonished not to lose sight of the inevitable results of the force of states.

Mr Canning's replies were equally decided and dignified. To *Dec.* 9. Count Romanzoff he expressed the king's astonishment and regret, that it should be supposed he would consent to commence a negociation by the previous abandonment of the cause of the Spanish nation, and of the legitimate monarchy of Spain, in deference to an usurpation which had no parallel in the history of the world. He had hoped that the participation of the Emperor Alexander in these overtures would have afforded a security to him, against the proposal of a condition so unjust in its effect, and so fatal in its example. Nor could he conceive by what obligation of duty or of interest, or by what principle of Russian policy, his imperial majesty could have found himself compelled to acknowledge the right assumed by France, to depose and imprison friendly sovereigns, and forcibly to transfer to herself the allegiance of loyal and independent nations. If these were indeed the principles to which the emperor had inviolably attached himself, to which he had pledged the character and resources of his empire, and which he had united himself with France to establish by war, and to maintain by peace—deeply did the King of England lament a determination by which the sufferings of Europe must be aggravated and prolonged: but not to him was to be attributed the continuance of the calamities of war, by the disappointment of all hope of such a peace as would be compatible with justice and with honour. To the French minister Mr Canning said, he was especially commanded to abstain from noticing any of those topics and expressions insulting to his majesty, to his allies, and to the Spanish nation, with which the official note of M. de Champagny abounded. The King of England was desirous to have treated for a peace which might have arranged the respective interests of all the belligerent powers on principles of equal justice, but he was determined not to abandon the cause of the Spanish nation, and of the legitimate monarchy of Spain; and the pretension of France, to exclude from the negociation the central and supreme government, acting in the name of his Catholic majesty, Ferdinand VII., was one which he could not admit, without acquiescing in an usurpation unparalleled in the history of the * world.

As soon as this correspondence was concluded, the rupture of the negociation was made known in England, by a declaration, which, while any sense of honour remains in the English nation, will always be recollected with pride and satisfaction.— *Dec.* 15. The continued appearance of a negociation, it said, when peace was found to be utterly unattainable, could be advantageous only to the enemy. It might enable France to

* Appendix, No. XL.

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sow distrust and jealousy in the councils of those who were combined to resist her oppression; and if, among the nations which were groaning under the tyranny of French alliance, or among those which maintained against France a doubtful and precarious independence, there should be any which were balancing between the certain ruin of a prolonged inactivity and the contingent dangers of an effort to save themselves from that ruin—to nations so situated, the delusive prospect of a peace between Great Britain and France could not fail to be peculiarly injurious. Their preparations might be relaxed, by the vain hope of returning tranquillity, or their purpose shaken, by the apprehension of being left to contend alone. That such was, in fact, the main object of France in the proposals transmitted from Erfurth, his majesty entertained a strong persuasion. But at a moment when results, so awful from their importance, and so tremendous from their uncertainty, might be depending upon the decision of peace or war, he felt it due to himself to ascertain, beyond the possibility of doubt, the views and intentions of his enemies. It was difficult for him to believe that the Emperor of Russia had devoted himself so blindly and fatally to the violence and ambition of the power with which his imperial majesty had unfortunately become allied, as to be prepared openly to abet the usurpation of Spain. He therefore met the seeming fairness and moderation of the proposal, with fairness and moderation on his part real and sincere, expressing his just confidence that the Spanish government, acting in the name of Ferdinand VII., was understood to be a party to this negociation. The reply returned by France to this proposition cast off at once the thin disguise, which had been assumed for a momentary purpose, and displayed, with less than ordinary reserve, the arrogance and injustice of that government. The universal Spanish nation was described by the degrading appellation of the Spanish insurgents, and the demand for the admission of its government as a party to any negociation was rejected, as inadmissible and insulting. With astonishment, as well as grief, he had received from the Emperor of Russia a reply similar in effect, although less indecorous in tone and manner. The king would readily have embraced an opportunity of negociation which might have afforded any hope or prospect of a peace compatible with justice and with honour. He deeply lamented an issue by which the sufferings of Europe were aggravated and prolonged; but neither his honour nor the generosity of the British nation would admit of his consenting to commence a negociation by the abandonment of a brave and loyal people, who were contending for the preservation of all that is dear to man, and whose exertions, in a cause so unquestionably just, he had solemnly pledged himself to * sustain.

Such an answer was consistent with the honour, the principles, and the feelings of the British people. Buonaparte anticipated it: his proposals might have that effect which the English cabinet had foreseen, upon the powers which he oppressed, and they might deceive the French people; at least they gave a popular topic for his sycophants in the se-

* Appendix, No. XLI.

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nate, and those whose office it was to mislead the public mind. He himself knew what the result must be, and did not for a moment suspend or slacken his preparations. Before a reply could be made to the first overture, he returned to Paris, and, in his address to the legislative body, informed them that

Oct. 25. he should depart in a few days, to put himself in person at the head of his army, and, with God's help, (such was the expression of the blasphemer,) to crown the King of Spain in Madrid, and plant his eagles on the forts of Spain. It was a distinguished favour of that providence, he said, which had constantly protected his army, that passion had so far blinded the English councils, that they had abandoned the defence of the seas, and at last produced their army on the continent. His vaunts and his impieties were, of course, echoed by those whom he addressed; but their flattery was far exceeded by the language of some deputies from the new Italian departments, who had audience on the same day. The destinies of the whole world, they told him, were confided by the Almighty to his impenetrable views, to the supreme power of his genius, to the miraculous exploits of his arms. Hence a new order of things, already written in the books of the Eternal, was prepared for their country. In the necessity in which he was to overthrow, to destroy, to disperse all enemies, as the wind dissipates the dust, he was not an exterminating angel; but he was the being that extends his thoughts, and measures the face of the earth, to re-establish happiness upon a better and surer basis. He was destined before all ages to be the man of God's right hand; the sovereign master of all things. Language of more idolatrous adoration was never listened to by the frantic Caligula, nor uttered by the infatuated followers of Sebatai Sevi. It was not, however, too gross for the tyrant to whom it was addressed; and he applauded it in his reply.—Immediately after this scene he left Paris, reached Bayonne on the 3d of November, and, five days afterwards, put himself at the head of his army at Vittoria.

The annual exposé of the French empire was made at this time, by the minister of the interior. Amid a pompous enumeration of improvements which in England are made by parishes and hundreds, and not heard of beyond the county in which they are carried on, a few things worthy of notice are mentioned. The assembly were told, that, in the Napoleon code, trial by jury had been introduced; and this was a question which they would have to examine in their present session.—The institution of a jury took its rise amid the simple manners of their ancestors. Feudal despotism banished it from France, but it took refuge among a neighbouring people, where it acquired a great celebrity. That people, after a long use of it, considered it as the exclusive guardian of individual liberty, and even of political freedom. The system had been re-established in France by the constituent assembly, but, in complicating its forms, they injured its effect. It was now restored in all its purity; the emperor himself had taken a great share in improving it, and among the important changes which would be proposed to them, they would perceive the suppression of the jury of accusation: experience had shewn that it was useless, and

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even hurtful; that it gave no real protection,—that it fettered the progress and the activity of justice, in its pursuit of crimes.—Here, then, is one great security of the subject taken away, by the French alterations of the trial by jury.

Great and important measures, the minister said, had been taken for the suppression of mendicity, and it was confidently hoped that in a few years this opprobrium of civilized society would be completely removed from France. The means by which this end was to be obtained were no otherwise explained than that each department was to have a central depot, answering to our houses of industry, and that those beggars who could not be reclaimed to honest labour, and were found begging out of their departments, should be confined in the central houses of detention. The restrictions upon commerce were said to have originated in the tyranny of the English, particularly in the orders in council, of November 11, 1807; the minister chusing not to remember the measures which preceded and provoked them. It was admitted, that, from the subsequent restrictions, the almost absolute cessation of French commerce, and many privations for the French merchants, manufacturers, and consumers, must necessarily ensue; but these privations had been borne with resignation, had already become habitual, had awakened the genius of invention, and had produced a thousand resources in substitution of the objects of which France was deprived. Moreover, it was known that a great nation, essentially agricultural, possessing in abundance all articles of utility, could easily forego certain luxuries or conveniencies of life, when its independence and glory were at stake. The attempts at raising cotton, notwithstanding some unfavourable circumstances, still gave room to hope for ultimate success. They were justified, also, in auguring well of the experiments made on the syrups of the grape. The culture of tobacco succeeded, and that which was raised near St Malo equalled the American.

The finances were said, since France had generously consented to the adoption of indirect taxation, to have reached a state of order and prosperity unknown in the best administered governments. The finances of a state were not essentially and efficiently good till they became independent of circumstances, till they could be maintained without the ruinous expedients of loans and excessive contributions, and till they were so organized, that, in an extraordinary emergency, all the property, and all the individuals, might be called upon promptly to furnish their respective quotas in advance. The endeavours of the emperor had been incessantly directed to the attainment of this object, and they had been crowned by the most complete success. The minister did not explain in what the plan of paying taxes in advance differed from loans and excessive contributions. If the receipts be admitted at a future time in payment, it is virtually a forced loan; but it is far more likely that government would find it necessary to go on anticipating its resources, and thus convert this system into a plan for raising double taxes within the year, whenever they were wanted. In peace, the revenue was stated at 600 millions, which would leave a large surplus for national improvements: the war standard was 800. Whenever peace was restored, there would

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be a reduction of one fourth part of the taxes; and on a renewal of war, it was not in the contemplation of the emperor to resort to the illusory expedients of imposing taxes of a novel description, or of holding out temptations to raise new supplies: the contributions would be brought back to the war standard, and, even then, raised only by 100 or 150 millions at a time, in case of need; and this would be done by a simple scale or table of proportions, which would enable every citizen to ascertain what share he bore in the good or bad fortune of the state.—If the difference between the war and peace expenditure is accurately stated as only a fourth part, the reason must be, because the French armies contain so many troops raised and paid by the dependent allies, and because the greater number of them are always fed and supported in a hostile or in a dependent country.

The account of their naval exploits were truly pitiful. A squadron from Toulon had thrown supplies into Corfu, and returned safely, as if by enchantment! The colonies also had been supplied; many prizes had been made from the English, especially in India; and only one of the French frigates had surrendered, after a glorious contest against a superior force. This was the Piedmontaise, a ship carrying more guns than that to which she struck, and more than three times the number of * men. Such was the state to which Nelson had reduced the naval power of France, that their runaway expeditions, and the success of their privateers, were all they had to boast of. Their preparations, indeed, would be formidable, were we at peace with Buonaparte. Ten ships of the line, built at Antwerp, and ready for sea, were awaiting their destination there: twelve had been launched during the year, and the same number of frigates: five-and-twenty ships of the line, and five-and-twenty frigates were on the stocks. Before the end of two campaigns, the bason of Cherbourg would be fit to receive squadrons: Spezzia was about to become a second Toulon. The union of almost all the coasts of the Mediterranean to France, secured to her arsenals and ships abundant supplies of provisions, stores, and men. Venice, Ancona, Naples, and all the means of Holland and Italy, were in motion. The Boulogne flotilla was not omitted in this display. It was said to be kept up, equipped, and in readiness to undertake the operations for which it was originally created: and a hundred thousand of the grand army were to leave the Prussian states, and to occupy the Boulogne camp.

Henceforth, he pursued, the war was to consist in repelling the English commerce from all points. All the social relations of England with the continent were suspended, and she was smitten by the excommunication which she had herself provoked. This exclusion was about to be consummated, when she contrived, as a last resource, to excite disturbances in Spain, and ally herself with the most barbarous prejudices, even with the inquisition. The event of this last effort could not be doubtful. What a presage, said the minister, does the heroic army of Portugal offer to us,

* See page 193.

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which, struggling against double its force, has been able to raise trophies on the very land where it fought to such disadvantage, and to dictate the conditions of a glorious retreat!—This insult the English had but too well deserved; whether the enemy's boast of driving us out of Spain would be as well supported, was yet to be proved.

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CHAP. XXII.

Defeat and Dispersion of the Armies of Blake and Castanos. Buonaparte's advance to Madrid, which, by the Treachery of Morla, is surrendered to him. Proceedings of the British Army. Sir John Moore enters Spain. Difficulties of his Situation. He resolves to retreat, but, altering his purpose, advances, with the intention of giving battle to Marshal Soult.

The French armies in Spain, when Buonaparte put himself at their head, were not less than 200,000 men. The head-quarters were at Vittoria. The left wing, under Moncey, (Duke of Cornegliano,) was posted along the banks of the Aragon and the Ebro, having its head-quarters at Rafalla. Ney (Duke of Elchingen) was with his division at Guardia: Bessieres (Duke of Istria) at Miranda, part of his corps garrisoning Pancorbo. General Merlin, with one division, occupied the heights of Durango, and defended the heights of Mondragon, from the threatened attack of the Spaniards. Castanos, in order to concentrate his forces, and cover the province of Aragon, quitted the line on the Ebro, and posted himself on the left bank of the Alagon, forming a line from Sanguessa to Villafranca, and leaving 2500 men at Logrono. His right wing touched the left of Palafox's army; but their united force did not exceed 20,000 men. The armies of Estremadura and Murcia, computed at 30,000, were in the centre, opposed to the French on the Ebro: they expected to be joined by the British, under Sir John Moore and Sir David Baird, whose effective force amounted to 28,000. Blake's army was now estimated at 35,000. The whole force, therefore, to be opposed to the French, was only 113,000, if the British had joined.

The first object of the French was to prevent this junction. They began by attacking the main body of Blake's army, consisting of 17,000 men, with a force of 25,000, on the last day of October. After an action, which was obstinately contested for eight hours, against so superior a force, the Spaniards fell back to Valmaseda, without losing colours or prisoners. They were without artillery, or the fate of the day might have been different. Blake displayed great skill in this action, unequal as it was: The French say, that if it had not taken place, his army was

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in a situation to have been completely cut off. It should seem, therefore, that he forced the enemy to fight, and that a retreat, so won and so conducted, was a victory. Lefebvre (Duke of Dantzic) pursued, and entered Bilbao on the 3d of November. It was Blake's intention to have fallen back, till he could concentrate the whole of his army; but the second division, and a part of the Asturian troops, under Azeredo, which had repulsed a superior force of the French on the 3d, had its communication cut off, and the French were strengthening themselves, at Arcintega and Orrantia, to prevent their junction with the main body of the army. Blake prepared to attack them: They retreated during the night of the fourth; but, on the following day, the fourth division of the Galicians came up with 7000 of the enemy near Valmaseda, and completely defeated them, with great slaughter. On the 7th, he attacked the French again, and turned their left wing; but his centre was too weak to advance, and the extreme inclemency of the night, with the exhausted condition of his troops, prevented him from pursuing his advantage, as he had purposed, on the ensuing morning. Never, indeed, did any soldiers endure greater privations: from the 23d of October, they had been continually in the open air, during rainy nights and the most inclement weather; they were all without hats, great part of them without clothes or shoes; and they were whole days without food. Yet, under all these sufferings, not a murmur of dissatisfaction was heard, and they manifested no other wish than that of contributing to the destruction of the enemy, and the safety of their country, by the sacrifice of their own lives.

The system of the French was to wear the Galician army out, and beat them down by repeated attacks. For this purpose they continually poured in fresh troops against it. On the 8th, the rear was attacked with little effect; on the 10th, the whole army was engaged with a force which nearly doubled its amount. The battle continued from noon till darkness terminated it. The French, continually reinforced, renewed it the next morning, and finally succeeded in routing the left wing. It was now necessary to retreat; but the enemy got possession of a height commanding the road of the retreating army: this threw them into confusion; and the men, worn out with incessant fatigue, and seeing no hope of immediate succour, began to disperse.—Blake attempted, with the remains of his army, to make a stand at Reynosa, one of the strongest positions in that strong country: here he hoped to have collected his scattered forces; but scarcely had he arrived, when fresh troops poured in upon him: another body of the French appeared also on the road from Burgos: no alternative was left him, but again to retreat towards St Andero; and the dispersion of his army was so complete, that there no longer remained any force to oppose the French on this side. But justice should be done to this gallant army: no men ever behaved more gallantly, nor with more determined patriotism. Without cavalry, without clothing, almost without food, they fought battle after battle, against troops always superior in number, and whose losses were always filled up with fresh reinforcements. Nor was there one

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was occupied by some
of the army of Estremadu-
sisting of Walloon and Spanish
ards, a few regiments of the line,
and the students of the universities
of Leon and Salamanca, under Count
Belveder. The French cavalry dispatched for this service was under
Bessieres, and the infantry under
Soult (Duke of Dalmatia.)
Nov. 10. Twice they were repulsed
by the patriots, nor was it
till after a third action had been obstinately contested for thirteen hours,
that the French, by their superiority
in numbers, and especially in cavalry, were successful. Count Belveder
was pursued from Burgos to Lerma,
and thence to Aranda, which Bessieres entered on the 16th. The
wreck of his army collected at Segovia. On the same day that Bessieres
entered Aranda, the van of Soult's
division took possession of St Andero: the excellent bishop, and other
persons who had distinguished themselves by their patriotism, found shelter on board some English ships.

Buonaparte immediately established his head quarters at Burgos.
Here he issued an edict, granting,
in the name of the intruder, a pardon to all Spaniards, who, within one
month after his arrival at Madrid,
should lay down their arms, and renounce all connection with England.
Neither the members of the juntas
nor the general officers were excepted from this pardon, as the insolent
usurper styled it: but wishing, he
said, to mark those, who, after having sworn fidelity to Joseph Buonaparte, had violated that oath;
who, after having accepted places
under him, had only used the authority with which they were intrusted to betray him; and who, instead of employing their influence to
enlighten the people, had only used
it to mislead them: wishing also that
the punishment of great offenders
might serve as an example in future
times, to all those, who, being placed
at the head of nations, instead of directing them with wisdom and prudence, should mislead them into disorders and popular tumults, and precipitate them into misfortunes and
war:—for these reasons, he excepted
from this amnesty the Dukes of Infantado, Hijar, Medina Celi, and Ossuna, the Marquis of Santa Cruz,
Count Fernan Nunez and Allamera, the ex-minister of state, Cevallos,
and the Bishop of St Andero; declaring them traitors to the two
crowns of France and Spain, and decreeing that their persons should be
seized, brought before a military
commission, and shot. Those persons who had sworn homage to the
intruder, compulsory as that homage
was, had unquestionably exposed
themselves to this reproach, and to
its possible consequences: they had
been forced into a situation in which
the only alternative was to become
traitors to him, or traitors to their
country: But by what laws or what

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logic were they traitors to France, a country to which they owed no allegiance, and with which they had contracted no obligation?

From Burgos, Ney and Victor (Duke of Belluno) were dispatched with their divisions, to take post behind the army of Castanos, while Lasnes (Duke of Montebello) attacked it with thirty thousand men in front. Too much had been calculated upon the celerity of the French troops. Ney's division, which should have reached Agreda on the 23d, was so exhausted when it arrived at Coria, on the 22d, that it was compelled to remain there the two following days. Had it not been for this circumstance, the defeat of the Spaniards would have been more complete than it was; according to the French accounts, not a man could have escaped. But Castanos, learning that the enemy, on the 21st, were advancing by Coria, with 12,000 foot and 4000 horse, fell back to a position extending from Tarragona to Tudela. This movement was executed without loss. On the 23d, at day-break, Lasnes came up with the Spaniards, whom he found posted with their right before Tudela, and their left occupying a line of League and a half. The position was bad, the line injudiciously extended, and Castanos, contrary to the advice both of Palafox and the representative of the junta, had neglected to secure some commanding heights, of which the French possessed themselves. Yet the action was well contested. On the right, the Spaniards had the advantage, but their centre was broken, and the French cavalry, passing through, came in the rear of the pursuing wing, and decided the fate of the day. Nothing was left but to retreat to Borga. So ill had Castanos concerted his plans, that the fourth division of his army, under General Lapena, which had received orders to attack the right flank of the enemy, was two hours march from the field of battle, and even then found itself unexpectedly opposed by 3000 foot and 1000 horse. These they defeated, and pursued to the heights of Tudela: those heights had been won by the French: he was attacked by a victorious and superior force, retreated again to his former position at Cascante, and took advantage of the night to fall back to Borja. According to the French account, 4000 Spaniards either fell in the field or perished in the Ebro, and nearly as many more were made prisoners: a number probably not much exaggerated, as Castanos states his loss to be very considerable. The defeat, indeed, was effectual as to that army. From Borja the general fell back to Calatayud, and from thence to Siguenza, because he had not means of subsistence in the former city; and also, he said, because he had received intelligence that the French threatened Somosierra, and therefore he wished to be near the capital, in case the enemy should advance toward it.

The French, in all these actions, displayed their characteristic and systematic cruelty, giving no quarter to any of the peasants whom they found in arms. In the bulletins, Buonaparte manifested his usual boastfulness, his usual abusive hatred of the English, and the mean maliciousness of his nature was made more conspicuous than on any former occasion. The total defeat of Castanos had compelled Palafox to fall back to Zaragoza, the defence of that city being the object for which he was especially to provide.

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The lying scurrility with which this was stated in the bulletins, evinced how deeply this noble Spaniard had wounded the Corsican's pride. "A fellow called Palafox," he said, "formerly a garde de corps,—a man without talent and without courage, a kind of insignificant monk, the fit head of a party, which gave him the name of general, was the first to take flight:—it was not the first time he had acted in that manner,—he had done so on all occasions." Such language proved only the innate and inherent baseness of the heart from which it proceeded.

The central junta, mean time, was occupying itself with measures ill adapted to such times. While Blake's army was fighting, day after day, without clothing, without food, and without reinforcements to recruit its ranks, they passed a decree for the establishment of a special tribunal, to try all persons accused of treason: its object being not more to bring such as were guilty to deserved punishment, than to rescue from suspicion and danger those who were unjustly suspected; for, under the existing circumstances of Spain, they said, the people, having already suffered so much from treachery, would naturally suspect all those whose conduct it did not fully comprehend. The tribunal, which was composed of members from each of the great councils of state, was to have a jurisdiction over persons of all ranks; but not to carry into execution any sentence of death, confiscation of property, or dismissal from office, till they laid the whole case, and all the evidence upon which their sentence was founded, before the supreme junta. A certain number of its members might carry on the ordinary business, but a writ for the arrest of any person, or the sequestration of his goods, must be issued by the whole. Especial provisions were made to prevent secret arrest, or long confinement; and the papers of the accused were not to be detained, as soon as it was ascertained that they contained no relation to the matter with which he was charged. No proceedings were to take place upon anonymous information, nor was any informer to be admitted, who would not consent to let his name be known. The humanity of these provisions is in such direct opposition to the practice of the holy office, that it seems to have been the intention of the framers of this tribunal to render their state inquisition as unlike as possible to the curse and disgrace of their country. The tribunal was particularly charged to enquire into the conduct of those persons who had gone as deputies to Bayonne, or who had submitted to the intruder at Madrid; endeavouring carefully to distinguish between what was compulsory and what was their own act and deed; and proceeding in this enquiry with that caution and prudence which were required in a case, where, on the one hand, the public safety was at stake, and, on the other, the reputation of many good and honourable citizens. And when their investigations had established the innocence of any one, they were to consult with the supreme junta upon the means of restoring to him all the credit and respectability which he had formerly enjoyed.

By another decree, dated on the day when Castanos was defeated at Tudela, they resolved that honorary militias should be formed in all towns *Nov. 23.*

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which were not in the scene of war, in order to prevent disorders, and to arrest robbers, deserters, and ill disposed persons. A more remarkable measure related to the ex-jesuits: their banishment was repealed, and they were permitted to return to any part of Spain, and there enjoy their pensions. The reason assigned was, that it was a miserable thing for them to be expatriated, to live far from their friends and kin, and be abandoned to the mercy of strangers; that it was now become difficult to furnish them with the pensions assigned to them by the crown; and that the sums thus allotted were so much withdrawn from the circulating specie of the kingdom, to increase that of foreign and even of hostile countries. This late act of humanity to the poor survivors of an injured and most respectable community, is not at any time to be censured; but it is extraordinary that at such a time the attention of the junta could have been occupied upon such a subject.

Of these measures, all would have been unexceptionable, and even praise-worthy, had they been well timed; but the central junta still pursued the fatal system of deceiving the people as to the extent and imminence of their danger, in a manner for which imprudence or incapacity can hardly be deemed sufficient to account. They addressed a proclamation to the inhabitants of Madrid, saying, that they had taken all the measures in their power to defeat the enemy, who, continuing his attacks, had advanced to the neighbourhood of Somosierra; and that the number of the French there hardly amounted to eight thousand men. The enthusiasm with which the soldiers were preparing to beat the enemies of their country, they said, and their confidence in their valour, was not to be expressed; and the English were ready to march from the Escurial, to reinforce the position chosen by the able general whom the junta had appointed, and to support the operations of the van, who, by that time, were already engaged with the slaves of the tyrant.

Nov. 21.

With such representations did the government endeavour to deceive the people of Madrid, and lull them into a feeling of security, when its duty was, to have told them the whole extent of their danger, and manfully roused them to those exertions which the emergency required. On the 30th of November, the pass of Somosierra was attacked and forced, chiefly, it is said, by a charge of Polish cavalry. The natural and obvious means of defending a mountain pass seems, therefore, to have been strangely neglected. Nothing after this remained to impede Buonaparte's way to Madrid. Now was the time for that city to have emulated Zaragoza; and the spirit was not wanting in the people, had there been a man like Palafox, to have directed them. They began to erect batteries, to barricade the streets, tear up the pavements, and carry the stones to the tops of the houses, to be used from thence against the enemy. Parapets were made on the houses, and the very doors stopped with matresses. Nothing was wanting except leaders worthy of the confidence of the people. But Madrid was already sold by Morla and the Prince of Castelfranco. Prone as the people always are, in time of danger and calamity, to impute treachery to their leaders, and daily as the Spaniards were discovering

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new treasons, they did not suspect these men of betraying them; the one a member of their supreme junta, the other a man hitherto so highly respectable, and who had so distinguished themselves during the revolution, both in word and action, against the enemy; both having been chosen by the government, to be especially trusted with the defence of Madrid. A man like Morla, who had so written and so acted, could not, without doing violence to our own nature, be suspected of belying his whole former life, and rendering himself infamous and detestable, as long as history endures.

Suspicious, therefore, as the people were, no doubt was entertained of their generals' patriotism; their jealousy was diverted to other objects. It was reported, and believed, that sand had been put in their cartridges: the truth or falsehood of this would be so easily ascertained, that it is scarcely possible the people could have been mistaken.—They strangled the Marquis de Pierales, to whom this act of treachery was imputed; and the monks were immediately employed in making new cartridges. Early on the 2d of December, Bessieres, with the French cavalry, came within sight of Madrid, and took possession of the heights, and Buonaparte himself arrived there at noon on the same day, being the anniversary of his coronation. There were only 6000 troops in the city, but there were 60,000 men ready to lay down their lives in its defence; and the appearance of the enemy excited indignation, not dismay. Bessieres sent his aid-du-camp to summon the town: he was seized by the populace, and would have been killed, if the soldiers had not protected him. No communication could be opened with the traitorous generals that day. In the evening, the French infantry came up, and at mid-night, a Spanish colonel, who had been made prisoner at Somosierra, was sent in with a letter from Berthier, (Prince of Neufchatel,) to the Marquis of Castillar, who commanded the troops in Madrid, urging him not to expose that capital to the horrors of an assault. Castillar replied, that it was indispensably incumbent upon him to consult the constituted authorities before he could give a formal answer, and also to ascertain how the disposition of the people was affected by their present circumstances: For this reason, he requested a suspension of arms for the day.

The reply was sent on the morning of the 3d. An attack had already been begun upon the Retiro, which was taken, after about a thousand Spaniards had fallen in defending it. The other places without the wall, which had been fortified, were also carried by the French, and some shells were thrown into the town. In the forenoon of the following day, Berthier sent a second summons. The firing ceased, and, at five in the afternoon, Morla and Don Bernardo Yriarte came out to Berthier's tent. They informed him that Madrid was without resources, and that it would be the height of madness to continue its defence, but that the populace and the volunteers from the country were determined to persevere in defending it. They themselves were convinced that this was hopeless, and requested a pause of a few hours, that they might make the people acquainted with their real situation. Hopeless, and without resources, when 60,000 men were ready to defend their streets, and doors,

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and chambers!—But this was the language of treason, not of cowardice.

These deputies were now introduced to Buonaparte, and one of those theatrical scenes was represented, in which the Corsican delights to display himself. You make use of the name of the people, said he, to no purpose; if you cannot restore tranquillity, and appease their minds, it is because you have excited them to revolt, and seduced them, by propagating falsehoods. Assemble the clergy, the heads of the convents, the alcaldes, the men of property and influence, and let the town capitulate by six o'clock in the morning, or it shall be destroyed. I will not, nor ought I to withdraw my troops." Then addressing himself particularly to Morla, he added, "the incapacity and cowardice of a general had put into your power troops who surrendered on the field of battle, and the capitulation has been violated. You, Mr Morla, what sort of an epistle did you write to that general?—It well becomes you, sir, to talk of pillage; you who, on entering Roussillon, carried off all the women, and distributed them as booty among your soldiers!—Besides, what right had you to hold such language?—The capitulation ought to have induced you to pursue a different line of conduct. See what has been the conduct of the English, who are far from piquing themselves on being rigid observers of the law of nations. They have complained of the convention of Portugal, but they have carried it into effect. To violate military treaties is to renounce all civilization: it is placing generals on a footing with the *Bedouins* of the desert. How dare you, then, presume to solicit a capitulation, you who violated that of Baylen? See how injustice and bad faith always recoil upon the guilty, and operate to their prejudice. I had a fleet at Cadiz; it was under the protection of Spain, yet you directed against it the mortars of the town where you commanded.—I had a Spanish army in my ranks; I would rather have viewed it embark on board the English ships, or be obliged to precipitate it from the rocks of Espinosa, than to disarm it; I would rather have 7000 more enemies to fight, than be deficient in honour and good faith. Return to Madrid—I give you till six o'clock to-morrow morning—return at that hour—you have only to inform me of the submission of the people—if not, you and your troops shall be put to the sword."

Buonaparte had now been three days before Madrid, and the ardour of the people having none to direct it, was deadened by delay and distrust. Deserted and betrayed as they were, they knew not in whom to confide, and the inevitable consequence of this general suspicion was, that every man began to consult his own personal safety. During the night, those persons who had come from the country to defend Madrid, and those of its inhabitants who were most zealous for the cause of liberty, left a place where they were not permitted to exert themselves; and at ten o'clock on the morning of the fifth, General Belliard took the command of the city.

The mockery of a capitulation was not observed by Morla, till some days after the French were masters of Madrid. His first stipulation was, that no religion should be tolerated except the catholic. No person was to be molested for his political opinions or writings, nor for what he had

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done in obedience to the former government, nor the people, for the efforts which they had made in their defence. It was as easy for the tyrant to grant this, as it would be to break it whenever he thought proper. The fifth article required that no contributions should be exacted beyond the ordinary ones which had hitherto been paid. This was granted till the realm should definitely be organized; and, with the same qualifying reserve, it was agreed, that the laws, customs, and courts of justice should be preserved. Another article required, that the French officers and troops should not be quartered in private houses nor in convents. This was granted with a proviso, that the troops should have quarters and tents furnished conformably to military regulations,—regulations which would soon place houses and convents at their mercy. The Spanish troops were to march out with the honours of war, but without their arms and cannon. The armed peasantry were also to leave their weapons, and return to their respective places of abode. They who had enlisted among the troops of the line within the last four months were discharged from their engagements, and might return home; all the rest should be prisoners of war till an exchange took place, which, it was added, should immediately commence between equal numbers, and rank for rank. It was asked that the public debts and engagements should be faithfully discharged; but this, it was replied, being a political object, belonged to the cognizance of the assembly of the realm, and depended on the general administration. The last article was a stipulation in favour of the traitorous commanders. Those generals, it is said, who might wish to continue in Madrid should preserve their rank, and such as were desirous of quitting it, should be at liberty so to do. This was granted; but their pay, it was added, could only continue till the kingdom received its ultimate organization.

Notwithstanding the formality with which the soldiers were included in this capitulation, very few of them remained to be subject to its conditions. Castillar and all the military officers of rank refused to enter into any terms, and, with the main body of the troops and 16 guns, marched out of the city on the night of the fourth, and effected their retreat. The council of Castille, which had already suffered the just reproaches of the patriots, had now to endure the censure of the tyrant whom they had supported while his power was predominant, and disowned when the tide turned against him. He issued a decree, whereby, considering that that council had shown, in the exercise of its functions, as much falsehood as weakness, and that, after having published the renunciation of the Bourbons, and acknowledged the right of Joseph Buonaparte to the throne, it had had the baseness to declare that it had signed those documents with secret reservations, they were displaced, as cowards, and unworthy to be the magistrates of a brave and generous nation. Care, however, was taken to except from this sentence those who had been cautious enough not to sign the recantation. At the same time, another decree was passed, abolishing the inquisition, as incompatible with the sovereign power, and with the civil authority. Its property was to be re-united to the domains of Spain,

Dec. 4.

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as a guarantee for the public debt. A third decree reduced the number of existing convents to one third. This was to be effected by uniting the members of several convents in one; and no novice was to be admitted or professed till the number of religioners of either sex should be reduced to one third of their present amount. All novices, therefore, were ordered to quit their respective convents within the space of a fortnight; and all who, having professed, wished to change their mode of life, and to live as secular ecclesiastics, were permitted so to do, and a pension secured to them, to be regulated by their age, but neither exceeding 4000 reals nor falling short of 3000. From the possessions of the suppressed convents, a sum was to be set apart sufficient for increasing the proportion of the parish priests, so that the lowest salary should amount to 2400 reals; the surplus of this property should be united to the domains of Spain; half of it appropriated to guarantee the public debt, the other to reimburse the provinces and cities the expences occasioned by supplying the armies, and to indemnify the cities and country for the losses caused by the war. All seignorial courts of justice were also abolished, no other jurisdiction being permitted to exist than the royal courts of justice; and another decree, premising, that one of the greatest abuses in the finances of Spain arose from the alienation of different branches of the imposts, though they were, from their nature, unalienable, enacted, that every individual who should be in possession, either by grant, sale, or any other means, of any portion of the civil or ecclesiastical imposts, should cease to receive them.

Buonaparte now addressed a proclamation to the Spaniards. What possible result, he asked them, could attend even the success of some campaigns? Nothing but an endless war upon their soil. It had cost him only a few marches to defeat their armies, and he would soon drive the English from the peninsula. Thus, to the rights which had been ceded to him by the princes of the last dynasty, he had added the right of conquest: that, however, should not make any alteration in his intentions. His wish was to be their regenerator. All which obstructed their prosperity and their greatness, he had destroyed; he had broken the chains which bore the people down; and, instead of an absolute monarchy, had given them a limited and constitutional one, with a free constitution. What, then, were this tyrant's notions of a limited monarchy? If he called that monarchy limited which was to be held in dependence upon himself, there might be some meaning in the perverted term; but, by the forms of his mock constitution, the intruder would be as absolute in Spain as he himself in France. The conclusion of this proclamation was in a spirit of blasphemy, hitherto confined to the barbarous countries of Africa or the East. "Should all my efforts," said he, "prove fruitless, and you should not merit my confidence, nothing will remain for me but to treat you as conquered provinces, and to place my brother upon another throne. I shall then set the crown of Spain upon my own head, and cause it to be respected by the guilty; *for God has given me power and inclination to surmount all obstacles.*"

In all his bulletins and proclama-

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tions, Buonaparte anxiously held up the English to the indignation and contempt of the Spaniards; a people, he said, who fomented war every where, and distributed arms like poison, but who shed their blood only for their own direct personal interests; and he represented the Spaniards as complaining that forty thousand English, added to their armies under Blake and Castanos, might have balanced the fortune of the war.

It cannot be denied, and it ought not to be dissembled, that the assistance of England, generously intended as it was, was ill timed, ill directed, and inadequate to its object. Some blame is imputable to the Spanish government: they trusted too much to their own resources; those resources were amply sufficient for that kind of war which the precautions of the Seville junta recommended, but if armies were to be opposed by armies, and battles ventured in the field, it was impossible that the Spaniards could be successful at first; and they should early have solicited a British force, especially of cavalry. But we must take blame to ourselves also: the effort, when it was made, was not commensurate to the occasion; and the fatal convention of Cintra drew after it a long train of disaster and disgrace.

Its first effect was to suspend all operations of the army in Portugal—the British commanders being summoned to England, in consequence of the inquiry. The loss of two of them, indeed, was gain, since, however personally brave, they had proved themselves to be utterly deficient in promptitude, activity, and enterprize. But Sir Arthur Wellesley, though he was implicated in their gross political misconduct, and had betrayed the same want of moral feeling, was supposed to possess military qualities which rendered his absence at such a time a public loss. The command was now vested in Sir John Moore; and, beyond a doubt, if the people of England, or the army themselves, had been called upon to chuse the general who should be employed on this important occasion, he would have been their choice, so generally was he respected, both as an officer and as a man. On the 6th of October, he received his appointment at Lisbon. Six weeks before this time the English government had resolved to send an army to the north of Spain,—and six weeks were lost, because Junot and his army were first to be transported to France, on their way to the same country!

Sir John Moore had acted, both in the Mediterranean and in Sweden, as commander-in-chief. When the expedition to Portugal was fitted out, the army which he had commanded was ordered on that service, but he himself was superseded by Sir Harry Burrard, and received orders to serve as third in command. Many men would have resigned up on this; but, possessing a higher sense of honour than ordinary men, he betrayed no resentment, saying, that he would never refuse to serve his country while he was able, and that if the king commanded him to act as an ensign he would obey. In the same spirit, having arrived in Portugal, after the battle of Vimiera, he declared to Sir Hew Dalrymple, that as Wellesley had done so much, it was fair he should take the lead in the operations against Lisbon; and he offered, if the good of the service required it, to execute any part that was allotted to him, without interfering with Sir Arthur. As soon as he

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obtained the command, the utmost activity was exerted to forward the expedition;—before that time little or nothing had been done towards the equipment of the troops; and in eight days afterwards, the greatest part of them were in motion.

Difficulties, however, occurred at the onset. The cavalry were to go by land; the infantry either by sea or land, at the commander's discretion. A coasting voyage in winter was thought uncertain and dangerous, and the junta also represented, that if he went by sea, half the army could never leave the coast, for want of necessaries, there being hardly means at Coruna to equip and forward 10,000 men, who were to land there under Sir David Baird, and form a junction with the commander wherever he should appoint. It was, therefore, determined to proceed by land;—yet surely the month of October ought not to have been considered as a winter month; and if the British forces were to co-operate with Blake, they should have been landed as near as possible to the scene of action, in the ports eastward of Coruna. When the land journey had been resolved on, new obstacles appeared. The Spanish commissary-general was consulted concerning the means of subsisting the army on the great road by Elvas; but when the quantity of meat which was required was explained to him, he computed that in three months all the oxen would be consumed, and very few hogs be left in the country. In the north of Portugal there was abundance of food; but the Portugueze said that artillery could not be transported across the mountains, and some British officers who were sent to examine the roads confirmed this opinion. When Sir John Moore was on his way, it was discovered that, bad as they were, they were practicable for cannon; but the discovery was made too late. In consequence of this error, it was thought necessary to divide the army. The artillery and cavalry were entrusted to Lieutenant-general Hope, with four regiments of infantry: they were to march by Elvas on the Madrid road: and two brigades, under General Paget, went by Elvas and Alcantara. The rest of the army moved through Almeida: two brigades, under General Beresford, by way of Coimbra; three, under General Fraser, by way of Abrantes. These were to unite at Salamanca, and General Hope and Sir David Baird were either to join them there, or at Valladolid.

Before they began their march, Sir John Moore warned the troops, in his general orders, that the Spaniards were a grave, orderly people, extremely sober, but generous and warm in their temper, and easily offended by any insult or disrespect which was offered them; and he endeavoured to impress upon them the propriety of accommodating themselves to these manners, and not shocking, by their intemperance, a people who were grateful to the English, and worthy of being their allies. Respecting the sick, he said, he saw, with much concern, their number was daily increasing: it was owing to their own intemperance that so many of them were rendered incapable of marching against the enemy; and having stated this, he felt confident that he need say no more to British soldiers to ensure their sobriety. An attempt had been made to prevent the troops, during their stay at Lisbon, from injuring themselves thus, by posting centries at the wine-shops,—but these men did not per-

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form their duty towards their comrades, and had no orders to exclude the women of the camp, who were openly employed, from morning till night, in fetching wine for their husbands. This was the main cause of a prevailing sickness; but the troops had also suffered from the heavy rains to which they were exposed in their huts.

On the 13th of November, Sir John Moore arrived with his advanced guard at Salamanca. Before he entered the town, he learnt the defeat of the Estremaduran army at Burgos, and on the second night after his arrival, was awakened by an express, with news that the French had possession of Valladolid,—twenty leagues only from Salamanca. He had only three brigades of infantry with him, and not a single gun. His first thought was to fall back upon Ciudad Rodrigo; but he soon learnt that the French had retired to Palencia, and that none of their infantry had advanced beyond Burgos: he therefore sent orders to Generals Baird and Hope, to concentrate their divisions, and join him with all speed. Every day now brought with it new causes of anxiety, and intelligence of new disasters. Blake's army was dispersed, and Buonaparte might either turn his force against Castanos, or march against the English, to prevent their junction. Sir John Moore, placed nearly in the centre, between two divisions of his army, which were approaching from different points, was compelled to remain inactive. Perceiving the supineness of the Spanish government, and indignant at discovering the weakness which they had concealed from him till he was in the heart of Spain, he began to despair of the cause of the Spaniards. He saw nothing around him but an inactivity, which he mistook for torpor and indifference. They had not, he said, shown themselves a wise or a provident people; their wisdom was not a wisdom of action. Yet still he felt that they were a fine people; that they had a character of their own, quite distinct from that of any other nation; and much, he thought, might have been done with them. He erred in thinking that they would not do much for themselves.

Sir David Baird had formed a like opinion. The expedition under his command reached Coruna on the 13th of October; and such were the idle forms and the neglect of the Spanish government, that the troops were kept on ship-board till an order for their landing could be received from the central junta. This general had been accustomed to an Indian army, with its train of slaves and sutlers, elephants and palanquins,—and he had now to march an army through a country where it is not without difficulty that a party of travellers can obtain food, and which had already been drained by its own troops; and his commissaries were not only inexperienced in the business of their department, but ignorant of the language of the people. Dividing his army into small detachments, which followed each other at considerable distance, he arrived at Astorga, Nov. 19th, and there learning the defeat of Blake's army, and anticipating that of Castanos's, he consulted with his general officers, and informed Sir John Moore of their unanimous opinion, that he ought not to attempt to advance, till his whole force was assembled there, which would not be before the 4th of December. The distance between Coruna and Astorga is little more than 200 miles; but such, with our commissariat, is the

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dilatory progress of an advancing English army. Sir John Moore's opinion of the hopelessness of affairs was thus confirmed by Sir David Baird. "I see my situation," he said in his journal, "as clearly as any one, that nothing can be worse; yet I am determined to form the junction of the army, and to try our fortune. We have no business here as things are; but, being here, it would never do to abandon the Spaniards without a struggle."

It was not long before intelligence arrived that Castanos was defeated, and his army dispersed. This event the British commander had expected; it had always been his opinion that the south of Spain should have been the scene of action; that Cadiz, not Coruna, should have been chosen for the disembarkation of the English army, and Seville or Cordova the place of their junction. He now determined to retreat upon Portugal.—"Thus," he said, in a letter to the English ambassador, Mr Frere, "he should fall back upon his resources, cover a country where there was a British interest, act as a diversion in favour of Spain, if the French detached a force against him, and be ready to return to the assistance of the Spaniards, should circumstances again render it eligible. That such circumstances would occur he had no expectation. The French, he thought, would have little more to do to subdue the country than to march over it, tho', after the conquest, they might have troublesome subjects;" and, in his letter to Sir David Baird, ordering him to fall back upon Coruna, and sail from thence for the Tagus, he directed him to write immediately to England, and order that transports might be sent to Lisbon. "They will be wanted," said he; "for when the French have Spain, Portugal cannot be defended." He had written a few days before this to Lord Castelreagh, saying that he had ordered a depot of provisions, for a short consumption, to be formed at Almeida, and perhaps the same should be done at Elvas: in that case, the progress of the enemy might be checked, while the stores were embarking at Lisbon, and arrangements were made for taking off the army. Beyond this, the defence of Lisbon or of Portugal should not be thought of. In communicating his resolution of retiring to the British government, he wrote in the same desponding spirit. "Portugal," he said, "could not be defended against a superior enemy: the Spaniards, however, might rally in the south, and the English might still be of use, if they were landed at Cadiz. But it was impossible to be very sanguine on this subject, after what had been seen."

Nov. 28.

When this intention of retreating was made known to the army at Salamanca, it was very generally disapproved. Murmurs against it were heard in every quarter, from men of all ranks. Even the staff officers lamented this resolution of their commander, and doubted the wisdom of his decision. In his letter to Mr Frere, written before the defeat of Castanos was known, Sir John Moore proposed the question, what the British army should do, in case of that event; whether he should retreat upon Portugal, or march upon Madrid, and throw himself into the heart of Spain, thus to run all risks, and share the fortunes of the Spanish nation? "This movement," he said, "would be one of great hazard, as his retreat to Cadiz or Gibraltar

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must be very uncertain, and he should be entirely in the power of the Spaniards; but perhaps it was worthy of risk, if the government and people of Spain were thought to have still sufficient energy, and the means to recover from their defeats. "The question," said Sir John Moore to Mr Frere, "is not purely a military one. It belongs at least as much to you as to me to decide upon it. Your communications with the Spanish government, and the opportunities you have had of judging of the general state of the country, enable you to form as just an estimate of the resistance that is likely to be offered. You are perhaps better acquainted with the views of the British cabinet; and the question is, what would that cabinet direct, were they upon the spot to determine? It is of much importance that this should be thoroughly considered; it is comparatively of very little, on whom shall rest the greatest share of responsibility. I am willing to take the whole, or a part; but I am very anxious to know your opinion." Mr Frere knew that what the Spanish government most deprecated was, a retreat of the English upon Lisbon. It would sink the hearts of the whole country, and would make them believe that England, after an ineffectual effort, had relapsed into the old limited system of protecting Portugal. If, therefore, a retreat was determined upon, as absolutely necessary, he thought the army should fall back upon Galicia, and the strong country about Astorga. But he said, in his reply to the commander-in-chief, that Leon and the two Castiles (with the exception of La Mancha and the city of Madrid) were the provinces least distinguished for a military, patriotic, or provincial spirit in all Spain: the people had been passive during the late events, and had seen their country successively occupied by the strongest party. It was difficult to blame them: living in open villages, in vast plains, without arms and without horses, they had neither the means of defence or escape. That country must necessarily belong to the party which was superior in cavalry,—yet even there there was no want of a right feeling: the towns were abandoned at the approach of the enemy; not a single magistrate had been brought over to take the oath of allegiance to the intruder, nor had the French been able to enlist a single soldier. The other provinces were possessed by the most ardent and determined spirit. There was no doubt of the people. The government was new, and had hitherto been too numerous to be very active; but there was hope that that inconvenience would soon be remedied. "They are resolute," said Mr Frere, "and I believe every man of them determined to perish with the country. They will not at least set the example, which the ruling powers and higher orders of other countries have exhibited, of weakness and timidity."

Great advantages, the ambassador thought, would result from advancing speedily to cover Madrid. It was a point of great moment for effect in Spain, and still more in France, and in the west of Europe. The people of the town were full of resolution, and determined to defend it, in spite of its situation; and nothing could be more unfavourable to the claim of the intruder than a siege of the capital. The first object of the English, therefore, he thought, should be to march there, and collect a force capable of resisting the French, before

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farther reinforcements arrived from France. There were reports that the resistance to the conscription had been much more obstinate than usual, and a pastoral letter of the bishop of Carcassone seemed to prove that these reports were not wholly without foundation. An advantage obtained over the French now would be doubly valuable, inasmuch as it would render a conscription, for a third attempt upon Spain, infinitely difficult, if not impracticable. But if, with their present forces, they were allowed to retain their present advantages, and to wait the completion of the conscription, they would pour in forces, which would give them immediate possession of the capital and central provinces, and the war would then be reduced to an absolute competition between the two countries, which could stand out longest against the waste of population.

If, however, Mr Frere said, this view of the subject should not appear sufficiently clear or conclusive to the commander-in-chief, to induce him to take this step, which he, the ambassador, was well convinced would meet with the approbation of his majesty's government, he would venture to recommend retaining the position of Astorga. A retreat from thence to Coruna (as far, said he, as an unmilitary man may be allowed to judge of a country which he has travelled over) would be less difficult than through Portugal to Lisbon; and we ought in that position to wait for the reinforcements of cavalry from England: the army would thus be enabled to act in the flat country, which opens immediately from that point, and extends through the whole of Leon and Old Castile.

Before this letter arrived, the general's resolution had been taken, in consequence of the news of Castanos's defeat. It was not shaken by the reasoning of the ambassador, whose opinion he had asked, and he waited only for the junction of General Hope, to commence his retreat on Portugal. The plan which Mr Frere had proposed, of making a stand at Astorga, he seems not to have thought worthy of consideration; yet he had been informed that the passes of the Bierzo might be defended by a thousand men, against an army of twenty thousand; and no person who had ever travelled through that country could doubt the truth of the opinion. On the 5th of December, a messenger arrived, with a dispatch from Castelfranco and Morla, informing him, in the name of the junta, that about 25,000 men, of the army of Castanos, were falling back on Madrid, to unite with its garrison; that 10,000 from Somosierra were coming to the city for the same purpose; and that nearly 40,000 would join them. With that number of troops, the French army, which had presented itself, was not to be feared. But the junta, apprehending an increase of the enemy's forces, hoped he would be able to unite with their army, or fall on the rear of the enemy; and they did not doubt that the rapidity of his movements would be such as the interests of both countries required.

This letter was written on the second, and the men who signed it were then plotting to betray their country,—but the success of their treason was not yet certain, and though they might have wished and designed to draw on the British army to its destruction, the proposal that it should advance came not from them alone, but from the civil and military junta also, and was such as true

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patriots would have given. While Sir John was considering this letter, Colonel Charmilly, a French emigrant in the British service, and denizened in England, arrived, with dispatches from Mr Frere. Colonel Charmilly was in Madrid on the night of the 1st of December, when the inhabitants were working by torch light at the trenches, breaking up the streets, and barricading the houses. He had seen the Duke del Infantado, who told him that a new junta had been formed, of which he was the president; that there were provisions and ammunition in Madrid; that more than 30,000 men had that day enlisted themselves as volunteers; and that it was of material importance to the common cause that the British commander should make a division, which would compel the French to divide their forces, and thus afford some relief to Madrid, which he was determined to defend to the last moment. This he requested Colonel Charmilly to communicate to Sir John Moore, as he himself had been an eye witness of the spirit of the people, and the preparations which they were making for resistance. By another grandee (whose name does not appear) he was requested to say to Sir John Moore, that he must make use of this moment to save Spain, by making conditions with the junta for a better government; but especially that he should require the Spanish army to be put under the orders of the British commander-in-chief for the time being, as it had been under Lord Peterborough.

When Colonel Charmilly reached Talavera de la Reyna, on his way, he found that Mr Frere had just arrived, following the central junta, who were retiring from Aranjuez to Badajoz. To him he communicated the state of Madrid, and the subject of his conference with the Duke del Infantado; and the ambassador requested him, as a colonel in the British service, to take charge of a letter to Sir John Moore, urging him to suspend his retreat, as a measure which would have the worst effect upon the Spanish cause, and be of the greatest injury both to Spain and England.—But thinking that, having begun the retreat, Sir John might suppose his responsibility engaged to go on with it, Mr Frere entrusted Colonel Charmilly with a second letter, to be delivered in case the general persisted in his determination of retreating.—The purport of this letter was to request that the bearer might be examined before a council of war; and the reason for this measure was, that the decision of a council of war would exonerate the commander-in-chief from the responsibility by which he might otherwise feel himself fettered.

Charmilly reached Salamanca while Sir John was deliberating upon the dispatch from Morla and Castelfranco. He delivered the ambassador's first letter. The state of Madrid, Mr Frere said, was so strong a confirmation, or, more properly speaking, so much exceeded every thing which he had ventured to say of the spirit and resolution of the people, that he could not forbear representing to the general, in the strongest manner, the propriety, not to say the necessity, of supporting the Spanish people by all the means which had been entrusted to him for that purpose. "I have no hesitation," he added, "in taking upon myself any degree of responsibility which may attach itself to this advice; as I consider the fate of Spain as depending absolutely, for the present, upon the

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decision which you may adopt I say, for the present; for such is the spirit and character of the country, that, even if abandoned by the British, I should by no means despair of their ultimate success." Having read this letter, and heard Charmilly's communication, Sir John Moore gave him no reason to suppose that the intention of retreating would be given up. He retired, however, to reflect upon what he had heard.—His instructions directed him to receive the representations both of the Spanish government and the British ambassador with the utmost deference and attention:—both deprecated his retreat. Charmilly had been an eye-witness of the preparations which were making in Madrid, and accounts confirming his report came from various other quarters. He was persuaded that a great improvement in the public affairs had taken place, and that it was not becoming him to fly at such a time; and he wrote, that night, to Sir David Baird, telling him to suspend his retrograde march till he heard again, and to make arrangements for returning to Astorga, should it be necessary.

Still the rooted feeling of his heart was despondency. In this very letter he expressed his fear that the spirit of resistance had arisen too late, and that the French were now too strong to be resisted in that manner. All this, he said, appeared to him very strange and unsteady; yet if the spirit of enthusiasm did arise, and the people would be martyrs, there was no saying, in that case, what a British force might do. In the morning he wrote a second letter, ordering Sir David to return to Astorga. "We must be at hand," said he, "to aid and take advantage of whatever happens. The wishes of our country and our duty demand this of us, with whatever risk it may be attended." But he added,—"I mean to proceed bridle in hand; for if the bubble bursts, and Madrid falls, we shall have a run for it." These were ominous words. It was apparent that he had no confidence in the patriotism of the Spaniards, nor in his own means of resisting the French, however strong the country; it was apparent also, that, while these impressions weighed upon him, he looked on with apprehension to the opinion of the English public, and that in deference to that opinion he was sacrificing his own.

While Sir John Moore was dispatching these instructions to General Baird, it was not known at Salamanca that he had changed his intention of retreating; officers and men alike were delivering their opinions loudly, and speaking of another investigation. Charmilly hearing this, and being equally ignorant of the determination which had been formed, supposed that his second letter was necessary, and accordingly delivered it. The general, not perceiving the intent for which it was written, and feeling like a high-spirited officer who thought himself injured, tore the letter in pieces, and gave vent to his indignation in violent language. Part of his anger fell upon Charmilly, and, on the following day, he ordered him to quit Salamanca. By what authority he was empowered to order an English subject to quit a Spanish town, he probably did not ask himself; and his prepossession against Charmilly, as a French emigrant, prevented him from perceiving that there were circumstances in his situation which might exempt him from a suspicion generally just, or from feeling the cruelty of this

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insulting and disgracing an officer in the British service, because he had been trusted by the British ambassador with a commission which had offended him. Charmilly respectfully represented that he had not deserved this treatment. The general replied that he did not mean to give him the smallest offence; but he repeated the order, and it was obeyed.

Sir John Moore, in his resentment against what he conceived the improper interference of the ambassador, soon, however, recollected what was due to him as the king's minister. He told him, therefore, that he should abstain from any remarks on the two letters delivered by Colonel Charmilly, or on the message which accompanied them. "I certainly," said he, "did feel and express much indignation at a person like him being made the channel of a communication of that sort from you to me.—Those feelings are at an end, and I dare say they never will be excited towards you again. If M. Charmilly is your friend, it was, perhaps, natural for you to employ him; but I have prejudices against all that class, and it is impossible for me to put any trust in him." He informed the minister that every thing should be done, for the assistance of Madrid and the Spanish cause, that could be expected from such an army as he commanded,—but he could not make a direct movement on Madrid, because the passes of Guadarrama and Somosierra were in the hands of the French, and, besides, he was much too weak, until joined by Sir David Baird.

Dec. 7. On the following day, Sir John received a letter from the junta of Toledo, telling him that they intended to re-unite the dispersed armies there, and defend the city to the last extremity. He replied, that if the Spaniards acted up to such sentiments, there could be no doubt of their ultimate success, whatever temporary advantages the French might gain; and he sent a British officer to reside at Toledo, and concert measures for its defence. On the 8th, he informed Sir David Baird that he should move a corps on the 10th to Zamora and Toro, and ordered him to push on his troops, by brigades, to Benevente. But, on the 9th, Colonel Graham, whom he had dispatched to Morla and Castelfranco, returned from Talavera, with tidings that these men had betrayed Madrid. The number of the French there was computed at between 20 and 30,000 men, and it was said that they remained at the Retiro, not having taken possession of the city, in consequence of the temper of the inhabitants. Another part of the French army was engaged in besieging Zaragoza. From Toledo the news was equally discouraging: Victor no sooner approached that place than it was surrendered to him.

These circumstances did not induce the British general to alter his plan: his object was to threaten the French communications, draw their attention from Madrid and Zaragoza, and thus favour any movements which might be projected by the armies forming on the south of the Tagus. If no advantage was taken of it, and no efforts made, he saw that the French might turn against him what portion of their force they pleased. That they would be able to do this he expected; and he believed that nothing which his army could effect would be attended with any other advantage than the character which might be won for the British arms. He looked, therefore, to a retreat, as

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an event which would soon be unavoidable; in his dispatches home, dissuaded the government from sending out reinforcements, and desired that transports might be ready, at Lisbon and at Vigo, to receive the troops; being fully persuaded that the efforts of England could be of no avail, and that it would be necessary to evacuate the peninsula.

He left Salamanca on the 12th. On the same day, Lord Paget, with the principal part of the cavalry, marched from Toro to Tordesillas; and General Stuart surprised and cut off a party of French who were posted at Rueda. This was the first encounter between the British and French in Spain; and the prisoners all declared that it was universally believed the English army had retreated. On the 14th, when Sir John was at Alaejos, a packet of letters, from the head-quarters of the French army, was brought to him. Some peasantry had killed the officer who had them in charge. Among them was a letter from Berthier to Marshal Soult, directing him to take possession of Leon, drive the enemy into Galicia, and make himself master of Benevente and Zamora. He would have no English in front, it was said; for every thing evinced that they were in full retreat. A movement had been made to Talavera, on the road to Badajoz, which must compel them to hasten to Lisbon, if they were not already gone; and when they had retired, the emperor thought Soult could do whatever he pleased. It appeared, from this letter, that Soult had two divisions with him at Saldanna; that Junot was collecting another at Burgos; and that another, under Mortier (Duke of Treviso,) had been ordered to march against Zaragoza.

Sir John Moore had intended to march to Valladolid, but seeing that Soult was stronger than had been represented, he thought it better to move to Toro, and unite his army there, Baird doing the same at Benevente, from whence the two corps might be joined, either by a forward or flank movement, and strike a blow against Soult, before that general should be reinforced. The cavalry, under Lord Paget, were pushed so forward, that their patroles reached as far as Valladolid; and frequent skirmishes took place, in all of which the British displayed that superiority, which, whenever a fair opportunity is given them, they are sure to maintain. In one of these actions, a French officer of chasseurs was cut down. His cloak-bag was found to contain a silver ewer and bason, beaten close together, for more convenient packing, the handles of some silver knives and forks, a great many trinkets plundered from the churches, and an embroidered jacket, with the badge of the legion of honour. Most of our wounded were cut in the head, owing to their fantastic caps, which were worse than useless; for they afforded no protection to the wearer, and by absorbing the rain, being partly made of pasteboard, became almost unbearable in wet weather. The French helmets were not heavier, though lined with a hoop of iron, and protecting the side of the face, either with chain or bar work. On the 20th, the commander-in-chief reached Majorga, where Sir David Baird joined him. The British forces were now united: they amounted to 23,000 infantry, and about 2,300 cavalry, besides some small detachments left to keep up the communications. On the following day, the

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head-quarters were advanced to Sahagun: the weather was severe, the roads bad, and covered with snow; and as the soldiers had suffered a great deal from forced marches, the general halted, that they might recover. A co-operation was also completely concerted here between the British and Romana, who was collecting the wreck of Blake's army at Leon. They were in a miserable state,—badly armed, and worse clothed,—but they might occupy the attention of a part of the enemy's force, and, if they were defeated, would prove active in completing his destruction.

Soult had concentrated his troops, to the amount of 18,000 men, behind the river Carrion: every arrangement was made for attacking him, and orders were issued accordingly, never more welcome to a British army. The convents in Sahagun were prepared for the reception of the wounded; and the soldiers confidently anticipated a glorious victory. Their general was less sanguine. "The movement I am making," he said to Mr Frere, "is of the most dangerous kind. I not only risk to be surrounded every moment by superior forces, but to have my communication with Galicia intercepted. I wish it to be apparent to the whole world, as it is to every individual of the army, that we have done every thing in our power in support of the Spanish cause, and that we do not abandon it until long after the Spaniards had abandoned us." The truth is, that nothing had been done for the Spanish cause. This, indeed, was not imputable to Sir John Moore; it was not his fault that the army had been sent too late, and to the wrong part of Spain; nor was it his fault that many of the 27,000 Frenchmen who ought to have been cut off in Portugal, were at this time between Vittoria and Burgos, under their old general, rapidly advancing against him: but he was disgusted with the misconduct of the Spanish government, and he had no faith in the patriotism of the people: his own judgment would have led him to fall back from Salamanca; and he only advanced because he knew what would be the feelings of the English public, if its army had retired without attempting any thing. Offended with Mr Frere, for having given his opinion, when he himself had asked it, he did not deem the wise suggestion of that minister, as to making a stand at Astorga, worthy of consideration. It was at once rejected, as futile; and he advanced against this detachment of the French, "bridle in hand," as he himself expressed it, "and expecting to have a run for it,"—not thinking that any possible benefit could result from a victory, but seeking an excuse which might appear valid to the people of England, for evacuating the peninsula, and leaving Spain and Portugal to their fate.

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CHAP. XXIII.

Retreat of the British Army. Battle of Coruna. Death of Sir John Moore. Embarkation of the Troops; and termination of our First Campaign in Spain.

Dec. 23. At the hour appointed, the whole force was under arms, the right column had begun its march, and the rest were in high spirits, expecting the word of command:—just at this time came a letter from Romana, with intelligence that the French were advancing from Madrid, either to Valladolid or Salamanca; and information to the same purport was received by other messengers, and also, that considerable reinforcements had arrived at Carrion from Palencia. Orders were immediately issued that the troops should go back to their quarters, and by day-break next morning, be again under arms. "In my life," says one who heard the order, "I never witnessed such an instantaneously-withering effect upon any body of living creatures! A few murmurs only were heard, but every countenance was changed, and they who, the minute before, were full of that confidence which ensures victory, were at once deprived of all heart and hope." The next morning, General Hope fell back to Majorga, on the road to Benevente, with his own division and with General Fraser's. Sir David Baird was ordered to pass the river at Valencia: and, on Christmas-day, the commander-in-chief followed General Hope, with the reserve and the light brigades; and the cavalry, under Lord Paget, followed the reserve on the 26th. Sir John Moore had made up his mind to lose some of his baggage, and not to fight, if he could avoid it. Astorga was to be his rallying point: there he informed Romana he should stand, as his retreat from thence, if necessary, would be secure, and he should be in the way to receive the supplies and the reinforcements which he expected from England. At the worst, he could defend himself, and, with Romana's aid, defend Galicia. "You may rest assured," he added, "that I shall not retreat a foot beyond what is necessary to secure my supplies from being intercepted." But his dispatches from Benevente, on the 28th

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show that this intention, if it had ever been seriously entertained, was abandoned. His force, he said, when he reached Astorga, would be about 27,000: Romana could not have above 8,000. The troops moving against him he estimated at not less than 50,000; and it was said that Buonaparte himself was coming, with 10,000 of his guards. His intention was not to stop longer at Astorga than to secure the stores, and then retreat to Villa Franca, where he had been told there was a position. Romana had intimated to him, some time ago, his intention of retiring into Galicia by this route, but Sir John begged it might be left open to the English, as being the only communication they had for their retreat or supplies.

From the 22d to the 24th, Soult received such reinforcements as made his army superior to the British. Junot had advanced to Palencia, and threatened their right flank. Buonaparte was hastening on in person from Madrid, with his imperial cavalry, and all the disposable force in that quarter. The force under Lefebvre (Duke of Dantzic) was counter-ordered from the road to Badajoz, and directed towards Salamanca. Of the numbers that were advancing against him, Sir John Moore was not informed; and so little idea was there of flying when he began his retreat, that it was determined to carry off the prisoners which had been taken, and they were accordingly stowed in covered waggons. A thaw came on the day when they first fell back, and on the following it rained heavily, without intermission: the soil in that part of the country is a heavy loam, and the roads were above a foot deep in clay. The proclamations of the French travelled faster than the British army: these were, as usual, full of promises which would not be fulfilled, and menaces which would. They were come, they said, to deliver Spain; to emancipate the people from the yoke of a tyrannical nobility and a fanatic priesthood. All persons who remained quiet in their houses, or who, having forsaken them, speedily returned, should receive no injury; but otherwise, all that belonged to them should be confiscated. Unhappily, the conduct of our people now began to give effect to these hand-bills. The soldiers were indignant with the Spaniards, for their apparent supineness; they were exasperated by the conduct of some poor wretches, whose carts had been pressed to carry the sick and wounded, and who, as many of them as could, had taken their mules, and run away in the night, partly from natural selfishness, still more because the movements of a retreating army exposed themselves to imminent danger, and their beasts to certain destruction. Weary and disheartened, in want of rest and of food, disappointed of their confident hopes of victory, and indignant at turning their backs upon an enemy whom they would so eagerly have met in the field, it was a relief to them to give vent to these feelings, in the shape of anger, upon the only objects within their reach. In this temper they began to plunder and commit havoc wherever they went; and the officers, many of whom already murmured at the rapidity of their retreat, and were discontented with the total silence which the commander-in-chief maintained respecting his future measures, did not exert themselves as they ought to have done, to prevent these excesses.

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Sir David Baird, who took the shorter line to Astorga, by way of Valencia, effected his march without molestation. The sick and wounded, following the same track, halted at the latter place, to pass the night.

Dec. 26. Hardly were they provided with the necessary food, and laid to rest, before the alarm was sounded, and they were again hurried into the waggons. The night was cold, misty, and exceeding dark, and the Ezla was to be forded, some little distance from the town. The ford is dangerous, because of the rapidity of the stream, occasioned by two narrow banks of shingles, which form an angle in the middle; and at this time the river was fast rising, from the melting of the snow upon the mountains. A serjeant's guard had been left by Sir David Baird on the opposite bank, to assist the waggons in passing, and skuttle two ferry-boats, when they had effected their passage. They kindled a fire with grass and rushes, for the sake of its light, but the materials were wet, and the wind soon extinguished it. A Spanish muleteer attempted to cross, to guide them over the ford: his mule tript in the mid stream, he was thrown, and saved by a soldier, when just in the act of sinking. Perilous, however, as the ford was, the passage was accomplished, without other loss than that of some baggage-waggons, which broke down.

Dec. 27. Sir John Moore, meantime, with the other division of the army, reached Benevente, and there found it necessary to issue general orders, which reflected severely upon the conduct both of his men and officers. "The misbehaviour of the column which had marched by Valderas exceeded," he said, "what he could have believed of British soldiers. He could feel no mercy towards officers who neglect, in times like these, essential duties, nor towards soldiers who disgrace their country, by acts of villainy towards the people whom they are sent to protect. Alluding then to the discontent which was manifested at the hurry of the retreat, and the mystery which was thrown over their proceedings, he said it was impossible for the general to explain to his army the MOTIVES of the movements which he directed; he could, however, assure them, that he had made none since he left Salamanca which he did not foresee, and was not prepared for; and, as far as he was a judge, they had answered the purposes for which they were intended. When it was proper to fight a battle he would do it, and he would chuse the time and place which he thought most fit. In the mean time, he begged the officers and men of the army to attend diligently to discharge *their* parts, and leave to *him*, with the general officers, the decision of measures which belonged to them alone." Strong as this language was, it had no effect, and the havoc which had been committed at Valderas was renewed at Benevente. The castle there is one of the finest monuments of the age of chivalry; we have nothing in England which approaches to its grandeur;—Berkeley, Raby, and Windsor are poor fabrics in comparison. With Gothic grandeur, it has all the wildness of Moorish decoration; open galleries, where Saracenic arches are supported by pillars of porphyry and granite; cloisters, with fountains playing in their courts; jasper columns and tesselated floors, niches, alcoves, and seats in the wall, over-arched in various forms, and enriched with every

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grotesque adornment of gold and silver, and colours which are hardly less gorgeous. A hand in armour, projecting from the wall, holds a lamp, to light the stairs. It belongs to the Duke of Ossuna; and the splendour of old times was still continued there. The extent of the magnificent structure may be estimated from this circumstance, that two regiments, besides artillery, were quartered within its walls. They proved the most destructive enemies that had ever entered them: their indignant feelings broke out again, in acts of wanton mischief; and the officers, who felt and admired the beauties of this venerable pile, attempted in vain to save it from devastation. Every thing combustible was seized, fires were lighted against the fine walls, and pictures of unknown value, the works, perhaps, of the greatest Spanish masters, and of those other great painters who left so many of their finest productions in Spain, were heaped together as fuel. The archives of the family fortunately escaped.

The soldiers had, however, here an opportunity of displaying a spirit more becoming them as Englishmen. Soon after the rear of the army had marched into the town, the alarm was given that the enemy were on the opposite heights. In an instant all was on the alert; every man hastened to his place of rendezvous; and the cavalry poured out of the gates:—the plain in the opposite direction was covered with fugitives, and the streets were filled with women bewailing their fate, and calling on their saints and their Virgin for protection. The French, seeing with what alacrity they would be encountered, looked at our men from the heights, and retired. It was towards evening, and as the enemy were so near, orders were given to destroy the bridge.—This was effected about day-break the following morning; and it was supposed that their progress was for a while impeded. The troops again continued their retreat, and the whole of the infantry and heavy artillery had departed, when intelligence arrived that the French were again appearing, and that their cavalry were in the act of passing the Ezla:—they had found a ford about three hundred yards below the bridge. Lord Paget and General Stuart were still in the town. The picquets of the night, under Lieutenant-colonel Otway and Major Bagwell, were sent down; the cavalry were ordered to repair to their alarm posts; and many volunteers came forward. Lord Paget himself, still seeking danger, from the double impulse of courage and wretchedness, hastened to the spot: he found four squadrons of imperial guards already formed, and skirmishing with the picquets; other cavalry were in the act of passing. The tenth hussars were sent for: As soon as they arrived, General Stuart placed himself at the head of the picquets, and charged the enemy. The French never have been able to withstand the charge of British soldiers, whether cavalry or foot;—they gave way, and repassed the ford more precipitately than they had crossed it. On the other side they formed again, and threatened a second attempt; but three pieces of horse artillery, which now came up, were stationed near the bridge, and opened a fire upon them, that did considerable execution. About seventy prisoners were taken: among them was General Lefebvre, commander of the imperial guard of cavalry.—The loss of the enemy could not be ascertained; it was variously guessed,

Dec. 28.

Dec. 29.

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from 60 to 200. Ours was about 50 in killed and wounded: among the latter was Major Bagwell. It was reported that Buonaparte was on the heights during this action.

The ardour of the French was manifestly damped by this fresh proof of British valour; for they continued their pursuit at such respectful distance, that the rear of the army, which had been engaged with them, reached Baneza that night unmolested. The Orbigo, a river which joins the Ezla, with a stream of equal waters, though they lose their name in it, now lay between them and their pursuers; they had crossed it by three bridges, —that which is called after the river, and which lay in the line of Sir David Baird's march; that of Visana, which is about half way from Benevente to Baneza; and that of Cebrones, which is between the two.—

Dec. 30. It does not appear whether these bridges were destroyed. The next day the commander-in-chief reached Astorga,—it is a stage of only four leagues. This was the rallying point, and here they found about 5,000 men, of Romana's army. That army was literally half naked and half starved; a malignant typhus fever was raging among them, and sixty or seventy were sent daily to the hospitals. About this number, however, were fit for service; and it was Romana's advice that a stand should be made here. It was neglected, upon the plea, that the armies, thus united, could not be supplied with provisions. The general had never seriously intended to make a stand here, his object being, as speedily as possible, to reach the ships.

The troops had been assured, at Benevente, that they were not falling back upon Coruna, but that their march was only to secure a more favourable position:—no affirmations could make the soldiery believe this; and when Sir John Moore reached Astorga, and issued his orders, it was too manifest that they were not merely retreating, but even flying, before the enemy. Ammunition waggons were burnt here, and an entire depot of entrenching tools abandoned, so that the army was thus deprived of a most important and effectual means of impeding the enemy's progress. A position at Villa Franca, which the commander-in-chief had formerly mentioned in his dispatches, was no longer thought of. Two brigades, under General Crawford, were detached, by way of Orense, to Vigo, to which port Sir John had ordered empty transports to be sent for him, supposing it to be the best point of embarkation. General Fraser and his division were immediately sent forward, with orders to proceed to Lugo; he was followed by General Hope and Sir David Baird, and their instructions were to make forced marches to the coast. "With respect to me, my lord, and the British troops," says the commander, in his official letter, "it has come to that point which I have long foreseen.—From a desire to do what I could, I made the movement against Soult: as a diversion, it has answered completely; but as there is nothing to take advantage of it, I have risked the loss of the army for no purpose. I have no option now but to fall down to the coast as fast as I am able.—We must all make forced marches, from the scarcity of provisions, and to be before the enemy, who, by roads upon our flanks, may otherwise interrupt us."

It appears evidently, from these expressions, that Sir John Moore was not well informed of the nature of the country through which he was

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about to retreat. Westward of Astorga, two great ranges of mountains trend from north to south: Puerto del Rabanal, Cruz de Ferro, and Foncebadon, are those of the eastern branch; those of the western are the Puerto del Cebrero, Puerto del Coural, and Puerto del Aguiar; they meet, on the south, with the Sierra de Sanabria, the Sierra de Cabrera, and the Montes Aguianas. The track which these mountains inclose is called the Bierzo: from summit to summit, it is about sixteen leagues from north to south, and about fourteen from east to west. The whole waters of this amphitheatre have but one opening; they are collected into the river Sil, and pass, through a narrow gorge, into the Val de Orras, in Galicia.—The centre is a plain of about four square leagues. There is scarcely in Europe a more lovely track of country, certainly no where a more defensible one. There is no other pass for an army than the main road which traverses it, and this leads along such defiles, that, as Romana truly observed, three months before this disastrous retreat, a thousand men might stop the march of twenty times their number. Sir David Baird's army had travelled this road; they supposed that it could not certainly be intended to fall back beyond Villa Franca. But the commander-in-chief saw no security till he should reach the coast; there he hoped to find transports ready, or, if not, to take up some defensible position till they arrived. The same difficulties which affected him must affect his pursuers. It was not probable that all the numbers which were now marching against him would follow him the whole way; and once on the coast, it was his determination not to be molested by any thing like an equal force:—"it is only while retreating," said he, "that we are vulnerable." His sole object now was to save the army,—to effect this he had already destroyed great part of the ammunition and military stores, and had now left behind many of the sick.

The mountain-tops were covered with heavy clouds, and the roads knee-deep in snow. Provisions, in a country where the natives are not rich enough at any time to lay by a store, can never be abundant, and what there was, had already been exhausted by the repeated march of troops, English and Spaniards. The little order with which such food as could be found was issued out, occasioned such waste as greatly increased the evil. The men, half famished, half frozen, and altogether desperate, were no longer in any subordination. They forced their way into the houses where their rations should have been served, seized it by force, frequently spilling the wine, and destroying more than they could carry away. This was not all:—pillage could not be prevented; and it was scarcely possible to prevent them from committing the worst excesses that could have been perpetrated by an enemy. Houses and villages were burning in all directions. Is it to be wondered at that the people fled before them, that, when they acted as enemies, they were treated as such; and that many of them were put to death by the peasantry, in revenge, or in self-defence?

Buonaparte pursued in person no farther than Astorga: he then charged Marshal Soult with what, in his own insolent language, he called the "glorious mission of destroying the English army,—of pursuing them to their point of embarkation, and driving them into the sea." The Emperor Napoleon acted prudently in halting where he did;—if the English

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continued their flight, it was undergoing bootless fatigue and sufferings to follow them; and if they made a stand, he may have remembered the resistance which he found from a handful of Englishmen on the walls of Acre, and the not less applicable fact, that a far inferior number of Greeks, in a country not more defensible, had opposed the innumerable army of the only tyrant, that ever, before himself, threatened utterly to barbarize Europe. Marshal Soult's was an easy task: he had only to pursue the English just close enough to keep them at the pace at which they set out, and not come near enough to make them turn and stand at bay: fatigue would do his work more surely than the sword. From Astorga to Villa Franca del Bierzo is fifteen leagues, about sixty English miles; the road for the first four leagues is up the mountain, but through an open country. Having reached the summit of Foncebadon, you enter into some of the strongest passes in Europe. It would scarcely be possible for an invading army to force their way here, against a body of determined men. These passes continue between two and three leagues, nearly to the village of Torre; from thence, through Benvibre and Ponferrada, nothing can be finer than the country, and the circle of mountains which binds it in. But never, in the most melancholy ages of Spanish history, had a more miserable scene been represented, than was now to be witnessed here.—The horses of the retreating army began to fail, and this, in great measure, for want of shoes. There was no want of iron to hammer new ones: there are iron-works near Villa Franca, and enough might have been procured, had there been time. As soon as these noble animals foundered, they were shot, lest the enemy should profit by them. * The rain continued pouring,—the baggage was to be dragged, and the men were to wade through half-melted snows,—the feet of the men as well as of the beasts began to fail,—more waggons were left behind,—more ammunition destroyed along the way; and when the troops reached Villa Franca, they were in such a state, that several experienced officers predicted, if this march against time were persevered in, that a fourth of the army would be left in the ditches, before it was accomplished. More magazines and carriages were here destroyed. Some of the men abandoning themselves here, as knowing that if they proceeded they must die of cold, hunger, and weariness, got into the wine cellars, and, giving way to desperate excess, were found dead when the French entered the town. When the general marched with the reserve from Benvibre, he left a detachment to cover the town, while parties were sent to warn the stragglers of their danger, and drive them out of the houses,—for the place was filled with them, near a thousand men of the preceding divisions having remained there, all abandoned to despair, and most of them to drunkenness. A few were prevailed upon to move on; but the greater number were deaf to threats, and insensible to danger, till the rear guard was compelled to march. A small de-

Jan. 2.

* A great loss in cavalry was occasioned by the imprudent mode of debarking them at Coruna. The horses, hot as they were, when just out of the hold, were dropt into the sea, to swim to shore, for want of proper arrangements for landing them. Many never recovered from the shock, fell lame, on the way into the country, and were shot by the way-side,—instead of being given to the Spaniards.

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tachment of cavalry still covered them, and did not quit the town till the enemy approached, and then the road was filled with stragglers, Spanish and British, armed and unarmed, mules, carts, women and children.—Four or five squadrons of French cavalry compelled the detachment in the rear to retire, and pursued them closely for several miles, till General Paget, with the reserve, repulsed them. As the French dragoons gallopped through the long line of these wretched stragglers, they slashed them with their swords to the right and left,—the men being so insensible from liquor that they neither attempted to resist nor get out of the road. Some of these men having found their way to the army, mangled as they were, were shewn through the ranks, to convince their comrades of the miserable consequence of drunkenness at such a time.

The Spaniards at Villa Franca would not believe that the French were advancing; through such a country, and in such a season, they thought it was impossible. Sir John Moore, however, well knew that he was pursued, and he was afraid of halting here, lest the enemy should get in his rear, and intercept him at Lugo; an apprehension which would not have been entertained, had he been well acquainted with the country. The troops, therefore, were hurried on:—already so many of them had been crippled upon this dreadful march, that, by the French account, two thousand prisoners were picked up between Astorga and this town. That account is probably much exaggerated, but the loss, beyond all doubt, had been very great. The situation of the men may be well estimated by the language of an officer, who, writing at this place, says, he dares not describe the dreadful objects which lay before him as he looked from his window,—"they are enough to make one muse even to madness." Some of those who were reserved for farther sufferings proceeded on the second: the artillery and head-quarters went foremost; General Baird's column, and the cavalry, under Lord Paget, were left to cover the rear. The advanced guard of the enemy, under General Colbert, were close at their heels: Merle's division joined them on the third; and on the afternoon of that day they ventured to attack the rear guard at Carcabalos.—According to the bulletins, we had five thousand infantry and six hundred horse posted very advantageously upon the heights. General Merle made his dispositions: his infantry advanced, beat the charge, and the English were entirely routed. It is added, that the difficulty of the ground did not permit the cavalry to charge, and only two hundred prisoners were taken. The fact is, that cavalry can act there, and that the dragoons and rifle-men repulsed the enemy. General Colbert received a ball in his forehead, and died within a quarter of an hour.—Having thus once more shown the enemy what they could do in battle, the rear of the army, reluctantly and almost broken-hearted, continued their retreat.

Jan. 3.

From Villa Franca to Castro is one continued ascent up Monte del Cebrero, through one of the wildest, most delightful, and most defensible countries in the world. Dr Neale estimates it at fifteen miles: less than this it cannot be; for mules, travelling at their ordinary pace, and in fair weather, are eight hours descending

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it. The road is a royal one, cut with great labour and expence in the side of the mountain, and following all its windings;—for some part of the way, it overhangs the river Valcarco, a rapid mountain stream, which falls into the Burbia near the town, and afterwards joins the Sil, to pass through the single outlet in the gorge of the Bierzo. Oaks, alders, poplars, hazels, and chesnuts grow in the bottom, and far up the side of the hills: the apple, pear, cherry, and mulberry are wild in this country; the wild olive, also, is found here; and here are the first vineyards which the traveller meets on his way from Coruna into the heart of Spain.—The mountains are cultivated in some parts, even to their summits, and trenches are cut along their sides, to collect and preserve the rain, for the purpose of irrigating them: the mountain gills are diverted also to the same use. Even those writers whose journals were written during the horrors of such a flight have mentioned this scenery with admiration. It was now covered with snow:—there was neither provision to sustain nature, nor shelter from the rain and snow, nor fuel for fire, to keep the vital heat from total extinction, nor place where the weary and foot-sore could rest for a single hour in safety. All that had hitherto been suffered was but the prelude to this consummate scene of horrors. It was still attempted to carry on some of the sick and wounded: the beasts which drew them failed at every step; and they were left in their waggons, to perish amid the snows. "I looked round," says an officer, "when we had hardly gained the highest point of those slippery precipices, and saw the rear of the army winding along the narrow road—I saw their way marked by the wretched people who lay on all sides expiring, from fatigue and the severity of the cold:—their bodies reddened in spots the white surface of the ground." The men were now desperate: excessive fatigue, and the feeling of the disgrace there was in thus retreating, or, as they translated the word, running away from the enemy, excited in them a spirit which was almost mutinous:—A few hours pause was what they unanimously wished for, an opportunity of facing the French, the chance of an honourable and speedy death, the certainty of sweetening their sufferings by taking vengeance upon their pursuers. A Portugueze bullock-driver, who had faithfully served the English from the first day of their march, was seen on his knees amid the snow, with his hands clasped, dying in the attitude and act of prayer. He had at least the hopes and the actual consolation and comfort of religion in his passing hour. The soldiers who threw themselves down to perish by the way-side gave utterance to far different feelings with their dying breath: shame and strong anger were their last sentiments, and their groans were mingled with imprecations upon the Spaniards, by whom they fancied themselves betrayed, and the generals, who rather let them die like beasts than take their chance in the field of battle.—That no horror might be wanting, women * and children accompanied this wretched army:—some were fro-

* In a pamphlet, which professes to be written by an officer of the staff, it is said, that "several dashing *elegantes* who had quitted the safe regions of Mary-le-bonne, to follow the fortunes of the war with their *dear friends*," were with the army,—and

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zen to death in the baggage-waggons, which were broken down, or left upon the road for want of cattle; some died of fatigue and cold, while their infants were pulling at the empty breast:—one woman was taken in labour upon the mountain; she lay down at the turning of an angle rather more sheltered than the rest of the way from the icy sleet which drifted along;—there she was found dead, and two babes, which she had brought forth, struggling in the snow:—a blanket was thrown over her, to hide her from sight,—the only burial that could be afforded, and the infants were given in charge to a woman who came up in one of the bullock-carts,—little likely as it was that they could survive through such a journey.

It had once been intended to plant some guns on the heights which command the passes along the road, and mules had actually been purchased at Lugo, for the purpose of carrying light artillery there.—Why this measure was abandoned, when it would have been so advantageous, has not been explained; for certain it is, that a few sharp-shooters, and some field-pieces, thus posted, might have checked very superior numbers. It is scarcely possible to imagine a stronger country, and if any attempt had been made to defend it, the peasantry, who were now, with equal reason, flying from both armies, as equally hostile to them, would have rallied round their allies.

While the reserve were on this part of the road, they met between thirty and forty waggons filled with arms, ammunition, shoes, and clothing, from England, for Romana's army,—that army had been left destitute of every thing, and these supplies were now travelling on to meet the French. This, however, is rather a proof of gross neglect and delay than of treason,—for the rapid retreat of the British could not have been foreseen,—and had they attempted to defend Galicia, the stores would have reached their destination. There was no means of carrying them back:—such things as could be made use of were distributed to the soldiers as they passed, and the rest were destroyed. Indeed, the baggage which was with the army could not be carried on: nearly an hundred waggons, laden with shoes and clothes, were abandoned upon this ascent. The dollars, too, could no longer be dragged along:—had the resolution of sacrificing them been determined upon in time, they might have been distributed among the men: in this manner, great part might have been saved from the enemy, and they who escaped would have had some little compensation for the hardships which they had undergone:—they were now cast over the side of the precipice, in hopes that the snow might conceal them from the French:—many men are supposed to have been lost, in consequence of having dropt behind, in hope of recovering some of this money. Dreadful as this march was to those who could behold the wreck of the army strewing its line of road, it was perhaps still more so to those who traversed it in a night stormy

among the baggage of the officers he enumerates Ghent ruffles, silk hose, shirts, and shirties. The pamphlet, however, is, in every sense of the word, worthless; and the author, in his general spirit of calumny, has probably calumniated his brother officers,—if, indeed, it be the work of an officer.

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and dark, wading through sludge and snow, stumbling over the bodies of beasts and men, and hearing, whenever the wind abated, the groans of those whose sufferings were not yet terminated by death.

From the summit of this mountain to Lugo is nearly twelve leagues. There are several bridges upon the way, over glens and gills, which might have impeded the pursuit, had they been destroyed. One, in particular, between Lugares and Marillas, is the most remarkable work of art between Coruna and Madrid. This bridge, which is called Puente del Corzul, crosses a deep ravine: from its exceeding height, the narrowness of its tall * arcades, and its form, which, as usual with the Spanish bridges, is straight, it might at little distance be mistaken for an aqueduct. Several of those officers who knew the road relied much upon the strength of this ravine, and the impossibility that the French could bring their guns over, if the bridge were destroyed. Grievous as it was to think of destroying so grand a work, its destruction was attempted, but, as in most other instances, to no purpose, from what cause has not yet been explained; whether the pioneers, in their fear, performed their office too hastily, or because the materials had been abandoned upon the way, or insufficiently supplied at first to the expedition.

The different divisions had been ordered to halt and collect at Lugo. Sir John Moore was now sensible of the impossibility of reaching Vigo,—the distance was double that to Coruna, and the road was said to be impracticable for artillery, and offered no advantages for embarking in the face of an enemy. The brigades, however, of Generals Crawford and Alton had marched for that port, and General Fraser, with his division, was ordered to take this route, and join them. A dispatch was sent to stop him: the dragoon who was entrusted with it got drunk on the way, and lost the letter, and these troops, in consequence, had proceeded a full day's journey, on their way towards Vigo, before the counter-order reached them; and they were marched back. Thus, instead of having two days rest at Lugo, as had been designed, they returned to that place excessively harassed, and lost many men from fatigue. When the horses entered Lugo, many of them fell dead on the streets, and others were mercifully shot;—above four hundred carcasses were lying in the streets and market-places;—there were none of the army who had strength to bury them; the townspeople were under too painful a suspence to think of performing work which it seemed hopeless to begin while the frequent musquet-shot repeatedly indicated fresh slaughters; there therefore the bodies lay, swelling with the rain, bursting, putrifying, and poisoning the atmosphere, faster than the glutted dogs and carrion birds could do their office. Here the retreating army might have rested, had the destruction of the bridges been effected; but this attempt had been so imperfectly executed, that

* Dr Neale represents this bridge as having four arches. I have seen a sketch, taken upon the spot, which makes them only three, and which differs in some other particulars from the view which he has given. It is only surprising, that, under such circumstances, he should have had time to catch the general likeness so well, or even to attempt it.

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the French came in sight on the 5th, and, collecting in considerable strength, took up a good position opposite our rear guard, a valley dividing them.

Jan. 6. On the following day, they attacked the outposts, opening upon them with two Spanish pieces of ordnance, which they had taken on their march. The assault was made with great spirit; but it was received, says an officer, with a steadiness which excited even our own wonder,—for at the sight of the enemy, and the sound of battle, the hearts of the English suddenly revived, and they derived from their characteristic and invincible courage a strength which soon made them victorious.

Jan. 7. On the 7th another attack was made, and in like manner repelled. The prisoners reported that Marshal Soult was come up with three divisions. Sir John Moore, therefore, expecting a more formidable attack, recalled General Fraser's division from the road to Vigo, and drew up his whole force on the morning of the 8th.

Jan. 8. It was his wish now to bring the enemy to action: he had perfect confidence in the valour of the troops, and perceived, also, that unless he crippled his pursuers, there was no hope either of retreating or embarking unmolested. Order and discipline were instantaneously restored by this resolution to fight, and the men seemed at once to have recovered from all their sufferings. The French were not equally eager for battle: the trial which they had made of their enemies on the two preceding days was not such as to encourage them; and Soult was waiting for more troops to come up; among others, the division of Laborde and Loison, whom the convention of Cintra had sent to join in pursuing the English army. The country was intersected, and his position was thought too strong to be attacked by an inferior force. But, in reality, the French at this time were less numerous than the English. Another reason assigned for not attacking the enemy was, that the commissariat had only provisions for two days: delay, therefore, was judged as disadvantageous as retreat. It has, however, since been known, that the French expected to be attacked, that they had no confidence in the strength of their position, and that their ablest officers apprehended that their advanced guard would have been cut off. They frequently spoke of this to those English who were left in their power at Lugo, and exulted that Sir John Moore had contented himself with offering battle, instead of forcing them to an engagement. After waiting till the afternoon, during a day of rain, and snow, and storms, Sir John ordered large fires to be lighted along the line, for the purpose of deceiving the enemy, and continued his retreat during the night. *

Before the reserve left Lugo, the

* Among the many memorable circumstances of this retreat, there is one, which, for the honour of humanity, should not be omitted here. An officer, who found himself utterly unable to proceed farther without rest, turned aside to some trees at a little distance from the road, thinking that he might possibly escape the French under their cover. He found a woman there, lying on the ground, with an infant beside her; she was at the point of death, having only strength enough to say, when he attempted to assist her, God bless you! it is all over!—He took the in-

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general once more endeavoured to repress the irregularity of the march. He warned the soldiers that their safety depended entirely on their keeping their divisions, and marching with their regiments; and that those who stopped in villages, or straggled in the way, would inevitably be cut off by the French cavalry,—"who have hitherto," said he, "shown little mercy even to the feeble and infirm who have fallen into their hands. The army has still eleven leagues to march; the soldiers must make an exertion to accomplish them: the rear guard cannot stop; and those who fall behind must take their fate." These representations were ineffectual:—it was, indeed, impossible to obey them: many of the men were exhausted and foot-sore, and could not keep their ranks;—others, who had totally broken through all discipline as soon as the route began, left them for the love of wine, or for worse motives. So irresistible was the temptation of liquor to men in their state, that it was thought better to expose them to the cold and rain of a severe night, than to the wine-houses of Betanzos, the next town upon their march.

The partial actions at Lugo, and the risk to which he had been exposed of a general one, checked Soult in his pursuit; and he was too sensible of the danger which he had escaped, to trust himself again so near the British, without a superior force. The British army, therefore, gained twelve hours march upon him, and reached Coruna with little farther molestation. *Jan.* 11. Here, if the general had not represented the cause of Spain as hopeless, they might have found reinforcements from England, which would have enabled them to turn upon their pursuers, and take ample vengeance for the sufferings and the shame which they had endured in their flight. But, instead of reinforcements, he had directed that empty transports should be sent, and, for want of due knowledge of the country, had ordered them to Vigo, instead of Coruna. That order had been countermanded as soon as the error was discovered, but contrary winds detained the ships,—and it was apparent that the army could not possibly escape without winning a battle. Coruna was a bad position. Had the British been numerous enough to have occupied a range of hills about four miles from the town, they could have defended themselves against very superior numbers,—but these heights required a larger force than the English army, of which not less than a fourth part had been foundered by the way. Both flanks would have been liable to be turned: it was therefore necessary to relinquish them to the enemy, and be content with occupying a second and lower range. Such, however, was the disadvantages of this situation, that some of our general of-

fant, fastened it in its mother's handkerchief to his back, and in that manner, as soon as he had recovered strength to move on, proceeded on the way towards Vigo, obtaining food and shelter as he could upon the way, for himself and his burden. Fortunately he reached Vigo safely, and found a transport in the bay, on board of which he effected his escape. The child whom he thus preserved continues with him; and he has declared, that be his fortunes what they may, they shall be shared by this boy, who seems to have been bequeathed by Providence to his protection.

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ficers advised the commander to propose terms to Soult, if he would permit the army to embark unmolested. In communicating this to the government, he said that he was averse to make any such proposal, and exceedingly doubtful if it would be attended with any good effect,—but whatever he might resolve upon this head, the ministers might rest assured that he would accept no terms which were in the least dishonourable to the army or to the country. Happily for his own memory, he rejected their advice. It is sufficiently disgraceful that such advice should have been given; and deeply is England indebted to Sir John Moore for saving the army from this last and utter ignominy, and giving them an opportunity of proving to the world that courage which had never forsaken them, and retrieving the honour which, had this counsel been followed, would irretrievably have been lost.

Arrangements, therefore, were made to give the enemy battle. One division, under General Hope, occupied a hill on the left, commanding the road to Betanzos: the height decreased gradually to the village of Elvina, taking a curved direction. At this village General Baird's division commenced, and bent to the right: the whole formed nearly a semicircle. On the right of Sir David Baird, the rifle corps formed a chain across a valley, and communicated with General Fraser's division, which was drawn up about half a mile from Coruna, near the road to Vigo. The reserve, under General Paget, occupied a village on the Betanzos road, about half a mile in the rear of General Hope. On the outside of the British posts was a magazine, containing 4000 barrels of gun-powder, which had been brought from England, and left there, while the Spanish armies were without ammunition! It was now necessary to blow it up:—the explosion shook the town like an earthquake; and a village near the magazine was totally destroyed.

The French made their appearance on the morning of the 12th, moving, in force, on the opposite side of the river Mero. They took up a position near the village Perillo, on the left flank, and occupied the houses along the river. Their force was continually increasing. On the 14th they commenced a cannonade, which was returned with such effect, that they at last drew off their guns. In the evening of this day the transports from Vigo hove in sight. Some slight skirmishes took place the following morning. Preparations meantime were making for the embarkation; and Sir John finding that, from the nature of the ground, much artillery could not be employed, placed seven six-pounders and one howitzer along the line, and kept four Spanish guns as a reserve, to be advanced to any point where they might be wanted. The rest of the artillery was all embarked. The sick and the dismounted cavalry were also sent on board with all possible expedition. Some of the horses also were embarked,—but there was little time for this: most of them were completely disabled; and another slaughter, therefore, was made of them: the beach was covered with their bodies. Some of these animals, seeing their fellows fall, were sensible of the fate intended for them: they became wild with terror, and a few of them broke loose.

All the preparations for embarking were completed on the morning

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of the 16th, and the general gave notice that he intended, if the French did not move, to begin embarking the reserve at four in the afternoon. This was about mid-day. He mounted his horse, and set off to visit the out-posts: before he had proceeded far, a messenger came to tell him that the enemy's line were getting under arms; and a deserter arriving at the same moment, confirmed the intelligence. He spurred forward. Their light troops were pouring rapidly down the hill on the right wing of the British, and the advanced picquets were already beginning to fire at them. Lord William Bentinck's brigade, consisting of the 4th, 42d, and 50th regiments, maintained this post. It was a bad position; and yet, if the troops gave way on that point, the ruin of the army was inevitable. The guards were in their rear. General Paget was ordered to advance with the reserve and support Lord William. The enemy opened a cannonade from eleven heavy guns, advantageously planted on the hills. Two strong columns, one advancing from a wood, the other skirting its edge, directed their march towards the right wing. A third column approached the centre: a fourth advanced slowly upon the left: a fifth remained half way down the hill, in the same direction.

Sir David Baird had his arm shattered with a grape-shot as he was leading on his division. The two lines of infantry advanced against each other: they were separated by stone walls and hedges which intersected the ground. but as they closed, it was perceived that the French line extended beyond the right flank of the British, and a body of the enemy was observed moving up the valley to turn it. Half of the 4th regiment, which formed this flank, was ordered to fall back, forming an obtuse angle with the other half. This manœuvre was excellently performed, and they commenced a heavy flanking fire: Sir John Moore called out to them, that this was exactly what he wanted to be done, and rode on to the 50th, commanded by Majors Napier and Stanhope. They got over an inclosure in their front, charged the enemy most gallantly, and drove them out of the village of Elvina; but Major Napier, advancing too far in the pursuit, received several wounds, and was made prisoner, and Major Stanhope was mortally wounded.

The general now proceeded to the 42d. "Highlanders," said he, "remember Egypt!"—and they rushed on, and drove the French before them, till they were stopped by a wall: Sir John accompanied them in this charge. He now sent Captain Hardinge to order up a battalion of guards to the left flank of the 42d. The officer commanding the light infantry conceived, at this, that they were to be relieved by the guards, because their ammunition was nearly expended, and he began to fall back. The general, discovering the mistake, said to them, "My brave 42d, join your comrades: ammunition is coming, and you have your bayonets!" Upon this, they instantly moved forward. Captain Hardinge returned, and pointed out to the general where the guards were advancing. The enemy kept up a hot fire, and their artillery played incessantly on the spot where they were standing. A cannon-shot struck Sir John, and carried away his left shoulder, and part of the collar-bone, leaving the arm hanging by the flesh. He fell from his horse on his back,

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not a muscle of his face altered, nor did he betray the least sensation of pain. Captain Hardinge, who dismounted, and took him by the hand, perceived him anxiously watching the 42d, which was warmly engaged, and told him they were advancing, and upon that intelligence his countenance brightened. Colonel Graham, who now came up to assist him, seeing the composure of his features, began to hope that he was not even wounded, till he saw the dreadful laceration. From the size of the wound, it was in vain to make any attempt at stopping the blood; and Sir John consented to be removed in a blanket to the rear. In raising him up, his sword, hanging on the wounded side, touched his arm, and became entangled between his legs: Captain Hardinge began to unbuckle it; but the general said, in his usual tone and manner, and in a distinct voice, "It is as well as it is; I had rather it should go out of the field with me." Six soldiers of the 42d and the guards bore him. Hardinge, observing his composure, caught at the hope that the wound might not be mortal, and said to him, he trusted he would be spared to the army, and recover. Moore turned his head, and looking stedfastly at the wound for a few seconds, replied, "No, Hardinge, I feel that to be impossible."

As the soldiers were carrying him slowly along, he made them frequently turn round, that he might see the field of battle, and listen to the firing; and he was well pleased when the sound grew fainter. A spring-waggon came up, bearing Colonel Wynch, who was wounded: the colonel asked who was in the blanket, and being told it was Sir John Moore, wished him to be placed in the waggon. Sir John asked one of the Highlanders whether he thought the waggon or the blanket was best? and the man said the blanket would not shake him so much, as he and the other soldiers would keep the step, and carry him easy. So they proceeded with him to his quarters at Coruna, weeping as they went.

General Paget, meantime, hastened with the reserve to support the right wing. Colonel Beckwith dashed on with the rifle corps, repelled the enemy, and advanced on their flanking, so far as nearly to carry off one of their cannon; but a corps greatly superior moved up the valley, and at length forced him to retire. Paget, however, attacked this body of the enemy, repulsed it, and pressed on, dispersing every thing before him, till the enemy, perceiving their left wing was now quite exposed, drew it entirely back. The French then advanced upon Generals Manningham and Leith, in the centre, and there they were more easily repelled, the ground being more elevated, and favourable for artillery. The position on the left was strong, and their effort there was very unavailing: But a body of them took possession of a village on the road to Betanzos, and continued to fire from it, till Lieutenant-colonel Nicholls attacked it, and beat them out. Night was now closing in, and the French had fallen back in all parts of the field. The firing, however, was not discontinued till it was dark.

Never was any victory gained under heavier disadvantages. The French force, at the lowest computation, exceeded 20,000 men, and was more generally estimated at 30,000. The British were not 15,000. The superiority in artillery was

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equally great:—they had met English guns on the way, sent off, thus late, to the patriotic armies, and these they had turned back, and employed against the English army. Our artillery was embarked; and the Shrapnell shells, which contributed so materially to the success at Vimiera, were not used in this more perilous engagement. If the moral and physical state of the two armies be considered, the disadvantages under which our soldiers laboured were still greater:—The French, clothed in the stores which they had overtaken upon the road, elated with a pursuit, in which no man had been forced beyond his strength, and hourly receiving reinforcements to their already superior numbers;—the English, in a state of misery, to which no army, perhaps, had ever before been reduced till after a total defeat; having lost their military chest, their stores, their baggage, their horses, their women and children, their sick, their wounded, their stragglers, every thing but their innate, unequalled, unconquerable courage. Our loss in the battle did not amount to 800; that of the French exceeded 2000. If such a victory was gained by the British army under such circumstances, what might not have been atchieved by that army when unbroken, with all its means at hand, in health, strength, in its pride, and in its height of hope!

The general lived to hear that the battle was won. "Are the French beaten?" was the question which he repeated to every one who came into his apartment; and he expressed how great a satisfaction it was to him to know that they were defeated. "I hope," he said, "the people of England will be satisfied! I hope my country will do me justice." Then, addressing Colonel Anderson, who had been his friend and companion in arms for one-and-twenty years, he said to him, "Anderson, you know that I have always wished to die this way.—You will see my friends as soon as you can:—tell them every thing.—Say to my mother"—But here his voice quite failed, and he became excessively agitated, and did not again venture to name her. Sometimes he asked to be placed in an easier posture. "I feel myself so strong," he said, "I fear I shall be long dying. It is great uneasiness—it is great pain." But, after a while, he pressed Anderson's hand close to his body, and, in a few minutes, died without a struggle. He fell, as it had ever been his wish to do, in battle and in victory. No man was more beloved in private life, nor was there any general in the British army so universally respected. All men had thought him worthy of the chief command. Had he been less circumspect, had he looked more ardently forward, and less anxiously around him, and on all sides, and behind,—had he been more confident in himself and in his army, and impressed with less respect for the French generals, he would have been more equal to the difficulties of his situation. But let it ever be remembered with gratitude, that, when some of his general officers advised him to conclude the retreat by a capitulation, Sir John Moore preserved the honour of England.

He had often said that, if he was killed in battle, he wished to be buried where he fell. The body was removed at midnight to the citadel of Coruna. A grave was dug for him on the rampart there, by a party of the 9th regiment, the aides-du-camp attending by turns. No coffin

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could be procured; and the officers of his staff wrapped the body, dressed as it was, in a military cloak and blankets. The interment was hastened; for, about eight in the morning, some firing was heard, and the officers feared that, if a serious attack were made, they should be ordered away, and not suffered to pay him their last duty. The officers of his family bore him to the grave; the funeral service was read by the chaplain; and the corps was covered with earth.

Meantime, Gen. Hope, on whom the command devolved, passed the night in embarking the troops. At ten o'clock he ordered them to march from the field by brigades, leaving strong picquets to guard the ground, and give notice if the enemy approached. Major-general Beresford, with a rear guard of about 2000 men, to cover the embarkation, occupied the lines in front of Coruna. Major-general Hill, with a corps of reserve, was stationed on a promontory behind the town. Nearly the whole army was embarked during the night: the picquets were withdrawn, and embarked also before day; little remaining ashore at day-light except the rear guard and the reserve. The French, seeing this, pushed on their light troops to the heights of St Lucia, which command the harbour, got up some cannon to a rising ground, and fired at the transports. Several of the masters of these vessels were frightened, and cut their cables: four of them ran a-ground. The men were put on board other ships, and these were burnt.—During the night of the 17th, and the following morning, Beresford sent off all the sick and wounded who were in a condition to bear the removal: And, lastly, the rear guard got into the boats, no attempt being made to interrupt them. Thus terminated our first campaign in Spain.

Jan. 17.

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ERRATA.

P. 25,—For "Cast upon his shores by shipwreck,"——read, *made prisoner.*
P. 189,—For "Guadaloupe and Martinique,"——read, *Martinique.*
P. 209,—For "Came to the mizen,"——read, *came to the mizen-rigging.*
P. 209,—For "Rode at anchor,"——read, *swung to her anchor.*

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STATE PAPERS.

Papers relative to the Negociation with Austria; presented, by his Majesty's command, to both Houses of Parliament, January 26th, 1808.

No. 1.—*Note from the Count de Starhemberg to Mr Secretary Canning, dated London, April* 18, 1807.

His majesty the emperor of Austria, king of Hungary and Bohemia, having resolved upon offering to the principal powers interested in the present war, his amicable mediation, in order by his intervention to bring on a negociation for peace, the count de Starhemberg, envoy extraordinary and minister plenipotentiary, has received orders to transmit to the ministry of his Britannic majesty, the accompanying Note, containing the offer of mediation which his imperial and royal majesty has caused to be presented in the same manner, and at the same time, to the cabinets of Petersburgh and of the Thuilleries, as well as to that of Berlin. In acquitting himself of this commission, the undersigned requests his excellency Mr Canning will have the goodness to lay this offer of mediation of his imperial majesty before the king of England, and he ventures to hope that his excellency will not refuse to inform him as soon as possible of the resolutions taken by his Britannic majesty on this subject.—The count de Starhemberg embraces this opportunity to renew to his excellency the assurance of his high consideration.

(Note referred to in Number 1.)

The emperor Francis II. could not behold, without the deepest concern, the rupture which took place last autumn, between his majesty the emperor of the French, king of Italy, and his majesty the king of Prussia; and he was shortly afterwards still more painfully affected, by the extension of hostilities over a considerable part of Europe. If by observing a strict and scrupulous impartiality from the very commencement of the war, his imperial and royal apostolic majesty has had the satisfaction to maintain his system of neutrality in circumstances so critical, and to preserve his people from the ravages of war, he did not enter the less fully into the miseries which were multipli-

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ed around his states; and in his just solicitude for the tranquillity and the security of his monarchy, he could not but be sensible to the continually renewed alarms upon his frontiers, or to the fatal effects which they inevitably produced in various branches of his interior administration.—The emperor, uniformly animated with the same dispositions, has had no other view from the commencement, and during the course of hostilities, than to endeavour to bring about a reconciliation, and to avail himself of every proper opportunity to put an end to the calamities of war. He judged he could not better effect this desirable result than by constantly impressing the belligerent powers with his sentiments of moderation and of conciliation, and in giving his whole attention towards producing in them a similar disposition. The reception which his first overtures to this effect have obtained, appears to announce that the moment of so desirable a reconciliation is not far distant. In the confidence inspired by so consolatory a prospect, the general welfare and the interest of his own dominions call upon his imperial majesty to offer to the belligerent powers his friendly intervention: and in consequence of this, he does not hesitate to make to his Britannic majesty, the offer of his mediation, and of his good offices.—But, in considering how very complicated and extensive the present war is become, the emperor would think that he had but imperfectly expressed his fervent desire for peace, and the hope of its complete and speedy re-establishment, if did not, at the same time, state the entire conviction he feels, that it is only by the united endeavours of the powers principally concerned in the war, and by a negotiation in common, which should embrace the whole of their reciprocal interests, that permanent tranquillity and a secure and solid peace can be attained, a peace which should secure the future political relations of Europe.—His imperial majesty, from that firm persuasion (which the frankness of his sentiments will not permit him to dissemble) conceives that this pacific overture should be made by him in common to those cabinets which are, in the first instance, to take a part in the conferences; and it is therefore with earnestness that he equally invites the cabinets of Petersburgh, of Berlin, and of the Thuilleries, to adopt the same conciliatory views, and to enter into negotiations for a peace, in which the essential relations of all the parties interested should, as far as is practicable, be combined.—The emperor has thus generally testified his wish for peace. He will not take upon himself to suggest the particular mode of negotiation, and still less to anticipate, the intentions of other powers, or to decide upon those measures which it may be thought necessary previously to settle, in order to determine the principles of the preliminary overtures between the belligerent powers.—Nevertheless, in the hope that this friendly offer of his interposition will be appreciated in such a manner as the rectitude of his intentions authorises him to expect, his imperial majesty is eager to propose (in order that the opening of negotiation may be facilitated by his good offices) any place in his dominions, the situation and locality of which might be reciprocally convenient, and which, from this consideration, ought not to be too near the theatre of war; and, in this respect, as in every other point, the emperor

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will feel pleasure in contributing to accelerate the period of so desirable a meeting.

LOUIS COUNT DE STARHEMBERG.

No. 2.—*Note from Mr Secretary Canning to the Count de Starhemberg, dated April 25, 1807.*

The undersigned, his majesty's principal secretary of state for foreign affairs, has laid before the king his master, the note delivered to him by the count de Starhemberg, envoy extraordinary, and minister plenipotentiary of his imperial majesty the emperor of Austria, king of Hungary and Bohemia, in which his imperial majesty offers himself as the mediator of a general peace. The undersigned has received the orders of the king, to transmit to the count de Starhemberg, the inclosed official answer to the note of his imperial majesty. Rendering the fullest justice to the motives which have actuated his imperial majesty, in the proposal of such a mode of negociation, as can alone, by embracing the interests of all parties, conduce to the establishment of a solid peace, and to the permanent tranquillity of Europe, the king accepts, so far as his majesty is concerned, the offer of his imperial majesty's mediation, subject only to the condition of a like acceptance of it on the part of all the other powers who are engaged in the present war.—In executing this duty, the undersigned is happy to seize the opportunity of renewing to the count de Starhemberg the assurance of his high consideration.

GEORGE CANNING.

(Official Note, referred to in No. 2)

His majesty the king of the united kingdom of Great Britain and Ireland, has received, with a just sense of the consideration which is due to every communication from his imperial majesty the emperor of Austria, king of Hungary and Bohemia, and of the motives by which, on this occasion, his imperial majesty has been actuated, the offer of his imperial majesty to become the mediator of a general peace.—The king, who has never ceased to consider a secure and durable peace as the only object of the war, in which his majesty is engaged, and who has never refused to listen to any suggestions which appeared likely to conduce to the attainment of that object, cannot hesitate to declare his entire concurrence in the opinion expressed by the emperor and king, that a peace of such a description is only to be attained through negociations which shall be common to all the powers principally engaged in the war.—To such negociations, whenever the consent of the other powers interested in them shall be obtained, the king will willingly accede; and his majesty will lose no time in communicating with such of those powers as are connected with him by the bonds of amity and confidential intercourse, for the purpose of ascertaining their views; and if those views shall be favourable to his imperial majesty's proposal, of concerting with them the mode in which such negociations should be opened, and of agreeing upon the principles which (according to the suggestion of his imperial majesty) it might be expedient previously to establish as the basis and foundation of a general discussion and arrangement.—With respect to the place which should be selected as the seat of the negociations, his majesty would not object to any place which, in addition to the indispensable qualification, proposed in the note of his imperial majesty by

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being sufficiently remote from the immediate influence of the events of the war, should have that of affording to his majesty, in an equal degree with all the other powers concerned, the opportunity of a prompt and uninterrupted communication with the plenipotentiaries who should be appointed to represent his majesty at the congress. GEO. CANNING.

Foreign Office, April 25, 1807.

No. 3.—*Note from the Prince de Starhemberg to Mr Secretary Canning, dated Nov.* 20, 1807.

The undersigned has the honour to inform his excellency Mr Canning, secretary of state for the department of foreign affairs, that he has received positive orders from his court, to make to the British ministry the most earnest representations on the importance of putting an end to the struggle which still exists between England and France; and the effects of which may produce to the rest of Europe the most fatal consequences. His majesty the emperor and king, animated by a constant desire to effect the restoration of repose and tranquillity, does not hesitate to request officially and earnestly his Britannic majesty to declare his intentions on this point in evincing to him his disposition to enter into a negociation for a maritime peace upon a basis suitable to the reciprocal interests of the powers who may take a part in it. The cabinet of St James's has explained itself too often respecting its desire for the re-establishment of peace, for the undersigned not to flatter himself that he shall now obtain the formal assurance wished for by his court, which will completely prove to all the nations of Europe, the sincerity of the pacific views of England. The undersigned, &c. LOUIS PRINCE DE STARHEMBERG.

No. 4.—*Note from Mr Secretary Canning to the Prince de Starhemberg, dated Nov.* 23, 1807.

The undersigned, his majesty's principal secretary of state for foreign affairs, has laid before the king his master the official note presented by the prince de Starhemberg, envoy extraordinary and minister plenipotentiary of his imperial majesty the emperor of Austria, in which the prince de Starhemberg expresses, by order of his court, the earnest desire of his imperial majesty for the termination of the present contest between Great Britain and France, and requires a sincere and formal declaration of his majesty's sentiments upon that subject. His majesty having repeatedly and recently declared his disposition and desire to enter into a negociation for a peace on secure and honourable terms, and this declaration having been made in the most regular and authentic manner to the Austrian government, in the answer which the undersigned was commanded to return to the official offer by the prince de Starhemberg (in the month of April last) of his imperial majesty's mediation; and in that which his majesty has since directed to be returned to a similar offer on the part of the emperor of Russia, and which has been communicated to the court of Vienna; his majesty cannot receive without surprise an application for a renewal of the declaration of sentiments of which the court of Vienna has been so long and so formally in possession. His majesty will not believe that any further declaration can be necessary for

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the purpose of proving to the nations of Europe a sincerity which the nations of Europe cannot question. But in compliance with the wishes of a friendly power, expressed with so much earnestness and anxiety, his majesty is, nevertheless, willing to repeat once more the assurance, already so often repeated, that his majesty is now, as he has at all times been, prepared to enter into negociation for the conclusion of such a peace as shall settle, on equal terms, the respective interests of the powers engaged in the war, as shall be consistent with his majesty's fidelity to his allies, and shall provide for the tranquillity and security of Europe. The undersigned, &c. GEORGE CANNING.

No. 5.—*Note from the Prince de Starhemberg to Mr Secretary Canning, dated Jan.* 1, 1808.

The undersigned, obeying the orders of his court, in conforming to the desire of that of the Thuilleries, has the honour to inform his excellency the secretary of state for the foreign department, that, in consequence of the pacific dispositions of his Britannic majesty, announced in the answer returned on the 23d of Nov. last, to his official note of the 20th of the same month, he is charged to propose to the English ministry to send immediately plenipotentiaries to Paris, for the purpose of treating for the establishment of peace between all the powers at present at war with England. This explicit and frank invitation must furnish a proof of the good faith and of the sincere intention of France to put an end to the calamities of war; and his imperial majesty consents, with eagerness, to be the intermediary of a result so desirable. It is hoped, that the court of London will not hesitate to recognize, on this occasion, the importance of the proposal which is made to it, and that it will be disposed to give a fresh proof of that desire which it has so often expressed, to restore repose to the rest of Europe, by naming negociators to be entrusted with the important interests to be discussed. To avoid every species of delay, the undersigned is authorized by France to give passports to the ministers whom the cabinet of St James's may appoint for this purpose. The mode in which these overtures are submitted to the court of London, and the measures which are taken towards realizing the execution of them with the least possible delay, will effectually demonstrate the spirit of conciliation by which they are dictated. The undersigned, &c.

LOUIS PRINCE DE STARHEMBERG.

No. 6.—*Note from Mr Secretary Canning to the Prince de Starhemberg, dated Jan.* 8, 1808.

The undersigned, his majesty's principal secretary of state for foreign affairs, has laid before the king his master, the note delivered to him the second of this month by the Prince de Starhemberg, envoy extraordinary and minister plenipotentiary of his majesty the emperor of Austria. In stating himself to be charged to propose to the British government the immediate sending of plenipotentiaries to Paris, the prince de Starhemberg has omitted to explain from whom he has received that commission, whether from his imperial master or from the government of France. If the prince de Starhemberg has, in this instance, acted under the specific and immediate orders of his court, and if the

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proposal to his majesty to send plenipotentiaries to Paris is to be considered as originating at Vienna, the undersigned is commanded to express his majesty's concern that so little reference should appear to have been had, in framing the proposal now offered for his majesty's consideration, to the correspondence which has already taken place between the courts of London and Vienna, upon the subject of a negociation for peace. After so long an interval has been suffered to elapse since the acceptance by his majesty, in April last, of the offer of his imperial majesty's mediation, his majesty could hardly have expected that the same offer should now be repeated (if indeed the prince de Starhemberg's note is to be construed as a repetition of it) without any notification of the acceptance of those conditions which were at that time stated by his majesty to be indispensable preliminaries to the opening of a negociation. And while the note of the undersigned of the 23d of November last is cited by the prince de Starhemberg as the foundation of the present proposal, his majesty observes with surprise, that this proposal nevertheless extends only to the powers combined with France in the war against Great Britain, and not to the allies of Great Britain in the war with France. If, on the other hand, the court of Vienna is no otherwise concerned in the step which the prince de Starhemberg has taken, than as having generally authorized that minister to receive and to convey to the British government whatever communications the government of France might think fit to intrust to him, the undersigned is commanded, in that case, to remark to the prince de Starhemberg, that although the character which the prince de Starhemberg holds from the court of Vienna, and the formalities by which he is accredited to his majesty, entitle him to immediate and implicit confidence in every exercise of his diplomatic functions, in the name and on the behalf of his imperial master; yet that when he professes to speak in the name of another power, the statement of some precise authority, and the production of some specific and authenticated document, could alone justify the court to which he addresses himself, in founding a public and important measure upon such a communication. From the tenour of the prince de Starhemberg's note it appears, that the note of the undersigned of the 23d of November has been communicated to the government of France. The government of France is therefore in possession of a solemn and authentic pledge of the pacific dispositions of his majesty. It follows that a pledge equally solemn and authentic of the reciprocal dispositions of France, is reasonably to be expected by his majesty, before his majesty can be called upon to make any further advance. The proposal to his majesty to send negociators to Paris, unaccompanied as it is with any ostensible and unequivocal return on the part of France for the declarations already made in his majesty's name, is so far from being a proof of any such reciprocal disposition, that it can be construed no otherwise by his majesty than as implying an unjustifiable doubt of the sincerity of his majesty's professions. Nor is the want of such formal authority and of such reciprocal assurance, the only, or the most material defect in the prince de Starhemberg's communication. His majesty

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is called upon to send plenipotentiaries to Paris to negociate for peace, without the slightest intimation being given to his majesty of the basis on which it is proposed that such negociation should be founded. If it could ever have been matter of doubt whether the previous settlement of a basis of negociation were necessary to the hope of its successful termination, the experience of the last negociation with France would have placed that question beyond controversy. The experience of the last negociation has further demonstrated the disadvantage and inconveniency of a negociation conducted at Paris. His majesty is willing to treat with France: but he will treat only on a footing of perfect equality. He is ready to treat with the allies of France: but the negociation must equally embrace the interests of the allies of Great Britain. As soon as the basis of negociation shall have been satisfactorily ascertained, and an unexceptionable place of negociation agreed upon, his majesty will be prepared to name plenipotentiaries to meet those of the other powers engaged in the war: but his majesty will not again consent to send his plenipotentiaries to a hostile capital. But while his majesty has permitted the undersigned to address this frank and unequivocal exposition of his majesty's sentiments to the minister of the emperor of Austria, the undersigned is, at the same time, charged to state distinctly to the prince de Starhemberg, that not having received any authentic proof of the prince de Starhemberg's commission to enter into any explanations in the name of the French government, or to afford any assurance by which that government could be bound, his majesty has not directed the undersigned to give any authority to the prince de Starhemberg to speak in the name of his majesty to the government of France. The undersigned has the honour to request the prince de Starhemberg to accept, &c.

GEORGE CANNING.

No. 7.—*Note from the Prince de Starhemberg to Mr Secretary Canning, dated London, Jan.* 12, 1808, *received the* 13*th.*

The undersigned has the honour to inform his excellency the secretary of state for the foreign department, that in consequence of orders from his court, the present circumstances oblige him to demand passports for himself and all the individuals of the Austrian mission at London. The undersigned purposes to make use of them as soon as he shall have received from the French government the passports which he demanded by the messenger whom he dispatched yesterday. The undersigned, &c. LOUIS PRINCE DE STARHEMBERG.

No. 8.—*Letter from Mr Secretary Canning to the Prince de Starhemberg, dated Jan.* 13, 1808.

Sir, having received information that Mr Adair has actually quitted Vienna, in consequence of an intimation from the Austrian government, I have the honour of requesting that you will have the goodness to acquaint me what is the latest date, at which you have reason to believe that Mr Adair was still at Vienna. I have, &c. GEO. CANNING.

No. 9.—*Note from the Prince de Starhemberg to Mr Secretary Canning, dated London, Jan.* 13, 1808.

In answer to the note which the undersigned has just received from

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his excellency the secretary of state, he has the honour to inform his excellency, that the last dispatches which he has received from his court, were of the 30th of October, and that no mention was made in them of the departure of Mr Adair. The undersigned, &c.

LOUIS PRINCE DE STARHEMBERG.

No. 10.—*Note from Mr Secretary Canning to the Prince de Starhemberg, dated Jan.* 13, 1808.

The undersigned, his majesty's principal secretary of state for foreign affairs, has the honour to inclose to the prince de Starhemberg, envoy extraordinary and minister plenipotentiary from his majesty the emperor of Austria, the passports which he has demanded for himself and for the Austrian mission at this court; having it, at the same time, in command from the king his master, to express his majesty's deep regret, that the circumstances of the time, and the orders of his court, should have imposed on the prince de Starhemberg the necessity of demanding them. The undersigned, &c.

GEORGE CANNING.

AUSTRIA.—*Declaration of the Emperor of Austria against England; dated Vienna, Feb.* 18*th*, 1808.

During the war which was concluded by the peace of Tilsit, his imperial, royal, and apostolic majesty has continually endeavoured to impress the belligerent powers with the motives which ought to induce them to concur in endeavouring to insure a general peace. The court of Vienna, from that time, declared its sentiments to the cabinet of St James's, and the imperial envoy at London, Prince Starhemberg received formal and pressing instructions. But as the British ministry, in an answer to these written communications, declared that its answer must depend on its allies, the salutary propositions of Austria could not but be considered as disregarded, and soon after the treaty of Tilsit was concluded, by which the interests of the continent were regulated, without the participation of Great Britain. His imperial, royal, and apostolic majesty continued, nevertheless, convinced of the utility, and even of the necessity, of a general pacification; and this conviction afforded him new motives for renewing this pressing representations to the court of London. In July, soon after the signing of the peace, the prince of Starhemberg again received orders to induce the British ministry to enter into a negociation with France, in order that the continental peace might be connected with and confirmed by, a maritime peace; but these propositions were not more successful than the former had been, and the answer of England was evasive. His majesty, however, thought it right to return to a subject of the most material influence on the general system of Europe, as well as the prosperity of the Austrian provinces in particular.—Prince Starhemberg was, therefore, for the third time, directed, in Sept. 1807, to make some farther overtures, connected with the former measures of the court of Vienna. But before his majesty's ambassador reported the result of his communication, the court of London declared its sentiments with regard to a maritime peace, in so positive a manner, refusing, at the same time, the mediation of Russia, making an attack on Copenhagen, and seizing the Danish fleet, without assigning any satisfactory cause of these violent measures,

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may endeavouring to justify those proceedings, their infringements of the unquestionable rights of neutral powers, by official declarations, which so evidently clashed with the principles adopted by other great powers, that it was impossible not to perceive, in the course pursued by the British minister, a disposition to remove the possibility of peace to a greater distance, and not to listen to whatever had any tendency to restore the tranquillity of Europe. The impression which this conduct, destructive of all the hopes which his majesty had fondly conceived, made on him, was as deep as it was painful. Without waiting for the farther reports of prince Starhemberg, orders still more urgent and more positive were sent him, than he had before received.—These instructions, bearing date the 30th October, contained, 1st, a recapitulation of all former transactions, and directed him to represent to the cabinet of St James's in the strongest colours, the unavoidable consequences of its conduct, and to insist, in the most earnest manner, on an open declaration of its real sentiments, with regard to peace, and to avail himself of all possible means to lead it both to sentiments of moderation, fitted for the present situation, and meeting the wishes of Europe. The dispatches closed with the precise orders—"to apply once more on this subject in an official manner to his Britannic majesty's minister for foreign affairs, and to make to him the formal proposal to enter into negociations for a maritime peace, on such principles as answered the interests of all the powers concerned, and as a provisional proof of his pacific disposition, to desist from the measures pursued against Denmark, and retract the declaration which accompanied them. Should the court of St James's reject these proposals, or purposely protract giving any answer, prince Starhemberg was directed to demand his passports, and leave London, with every person belonging to the embassy. It was the emperor's will that the above instructions should be restricted to such points of general interest, as were most likely to move the British cabinet to receive his proposals with attention and kindness; and if his imperial majesty ordered no complaints to be inserted of the numerous violations of his right, as a neutral power, violations, with regard to which his majesty had not been able to obtain the least redress or compensation, the reasons, no doubt, will be obvious, which induced his majesty to pass by in silence whatever concerned his personal interest. His imperial majesty's ambassador in London could but execute the positive orders, which he received from Vienna, to their full extent. But being of opinion that he might yet indulge an hope of being able to prevail on the English ministry to shew more pacific sentiments towards France, he resolved to express, at first, part only of his orders in a note, which he addressed to Mr Canning on the 20th November. The secretary of state answered that note by a mere repetition of the declaration made to Austria since the month of April, 1807. As all further representations were now evidently ineffectual, a final notification was sent on the 22d December to prince Starhemberg, which repeated the order of the 30th October, and directed him, before his departure, to give in a note explaining circumstantially the motives of the court of Vienna towards that of London. These dispatches, however, did not arrive in

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London till prince Starhemberg had applied for, and received, his passes, and he no longer could have communication with the secretary of state, and deliver in the note which had been transmitted to him. This representation, which is confined to the official communications that have passed between the two governments, is sufficient to shew that the cabinet of St James's cannot mistake the causes, nor the motives, which have induced his apostolic majesty to break off the connection, which has hitherto existed between Austria and Great Britain. The emperor, nevertheless, wishes to see the moment arrive, when the court of London, sensible of its true interests, shall, with calmness and justice, judge of, and compare the situation of England, with that of the other powers, and thereby enable his majesty to renew with it his former friendly connections.

DECLARATION OF THE EMPEROR OF RUSSIA.

The greater value the emperor attached to the friendship of his Britannic majesty, the greater was his regret at perceiving that that monarch altogether separated himself from him.

Twice has the emperor taken up arms, in which his cause was most directly that of England; and he solicited in vain from England a cooperation which her interest required. He did not demand that her troops should be united with his; he desired only that they should effect a diversion. He was astonished that in her cause she did not act in union with him; but coolly contemplating a bloody spectacle, in a war which had been kindled at her will, she sent troops to attack Buenos Ayres. One part of her armies, which appeared destined to make a diversion in Italy, quitted at length Sicily, where it was assembled. There was reason to believe that this was done to make an attack upon the coasts of Naples, when it was understood that it was occupied in attempting to seize and appropriate to itself Egypt.

But what sensibly touched the heart of his imperial majesty was, to perceive that England, contrary to her good faith, and the express and precise terms of treaties, troubled at sea the commerce of his subjects. And at what an epoch! When the blood of Russians was shedding in the most glorious warfares; which drew down, and fixed against the armies of his imperial majesty, all the military force of his majesty the emperor of the French, with whom England was, and is now, at war.

When the two emperors made peace, his majesty, in spite of his just resentments against England, did not refrain from rendering her service. His majesty stipulated, even in the very treaty, that he would become mediator between her and France: and finally he offered his mediation to the king of Great Britain. His majesty announced to the king, that it was with a view to obtain for him honourable conditions. But the British ministry, apparently faithful to that plan which was to loosen and break the bonds which had connected Russia and England, rejected the mediation.

The peace between Russia and France was to prepare a general peace. Then it was that England suddenly quitted that apparent lethargy to which she had abandoned herself: but it was to cast upon the north of Europe new firebrands, which were to enkindle and nourish the flames of war, which she did not

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wish to see extinguished. Her fleets and her troops appeared upon the coasts of Denmark, to execute there an act of violence of which history, so fertile in examples, does not furnish a single parallel. A tranquil and moderate power, which, by long and unchanging wisdom, had obtained in the circle of monarchies a moral dignity, sees itself assaulted and treated as if it had been forging plots, and meditating the ruin of England; and all to justify its prompt and total spoliation.

The emperor, wounded in his dignity, in the interests of his people, in his engagements with the courts of the north, by this act of violence committed in the Baltic, which is an inclosed sea, whose tranquillity had been for a long period, and with the privity of the cabinet of St James's, the subject of reciprocal guarantee, did not dissemble his resentment against England, and announced to her that he could not remain insensible to it.

His majesty did not foresee that when England, having employed her force successfully, was about to bear away her prey, she would commit a new outrage against Denmark, and that his majesty was to share in it. New proposals were made, each more insidious than the foregoing, which were to connect with the British power, Denmark subjected, disgraced, and affecting to applaud what had been wrought against her.

The emperor still less foresaw that it would be proposed to him that he should guarantee this submission, and that he should pledge himself that this act of violence should have no unpleasant consequences to England. Her ambassador believed that it was possible to propose to his majesty's ministry, that his majesty should become the apologist and the protector of what he had so loudly blamed.

To this proceeding of the cabinet of St James's, the emperor paid no other attention than it deserved. He thought it time to put limits to his moderation.

The prince royal of Denmark, endowed with a character full of energy and nobleness, and possessing from Providence, a dignity equal to his high rank, had informed the emperor, that, justly incensed at what had taken place at Copenhagen, he had not ratified the convention, and considered it as of no effect.

At this moment he has just communicated to his imperial majesty, new proposals which have been made to him, which serve only to inflame his resistance instead of appeasing it; because they tend to impress upon his actions the seal of degradation, the impression of which they have never borne.

The emperor, touched with the confidence which the prince royal placed in him, and having considered his own peculiar complaints against England; having maturely examined, too, the engagements which he had entered into with the powers of the north—engagements formed by the empress Catherine, and by his late majesty, the emperor, both of glorious memory---has resolved to fulfil them. His imperial majesty, therefore, breaks off all communication with England; he recals the whole of the mission which he has sent thither, and no longer chuses to keep with him that of his Britannic majesty. There shall, from henceforth, be no connection between the two countries.

The emperor declares, that he annuls, and for ever, every preceding convention between England and

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Russia, and particularly that entered into in 1801, the 5th (17th) of the month of June.

He proclaims anew the principles of the armed neutrality, that monument of the wisdom of the empress Catherine, and engages never to recede from that system.

He demands of England, complete satisfaction to all his subjects, for their just reclamations of vessels and merchandize, detained against the express tenor of treaties concluded in his own reign.

The emperor engages, there shall be no re-establishment of concord, between Russia and England, till satisfaction shall have been given to Denmark.

The emperor expects that his Britannic majesty, instead of suffering his ministers, as he does, to scatter the seeds of fresh war, listening only to his own feelings, will be disposed to conclude such treaty, with his majesty, the emperor of France, as shall prolong, (to use the expression) interminably, (*à toute la terme*) the invaluable blessings of peace.

When the emperor shall be satisfied upon all the preceding points and especially upon that of peace between France and England, without which no part of Europe can promise itself real tranquillity, his imperial majesty will then gladly resume with Great Britain those relations of amity, which, under the just discontent which he could not but feel, he has, perhaps, preserved too long.

Given at St Petersburgh, 20th (31st) October.

DECLARATION OF HIS MAJESTY THE KING OF GREAT BRITAIN.

The overtures made to his majesty by the government of Russia and of France, have not led to negociation, and the intercourse to which those overtures gave rise being terminated, his majesty thinks it right, thus promptly and publicly, to make known its termination.

The continued appearance of a negociation, when peace has been found to be utterly unattainable, could be advantageous only to the enemy.

It might enable France to sow distrust and jealousy in the councils of those who are combined to resist her oppression; and if, among the nations which groan under the tyranny of French alliance, or among those which maintain against France a doubtful and precarious independence, there should be any which, even now, are balancing between the certain ruin of a prolonged inactivity, and the contingent dangers of an effort to save themselves from that ruin; to nations, so situated, the delusive prospect of a peace between Great Britain and France could not fail to be peculiarly injurious. Their preparations might be relaxed by the vain hope of returning tranquillity, or their purpose shaken by the apprehension of being left to contend alone.

That such was, in fact, the main object of France, in the proposals transmitted to his majesty from Erfurth, his majesty entertained a strong persuasion.

But at a moment when results so awful from their importance, and so tremendous from their uncertainty, might be depending upon the decision of peace or war, the king felt it due to himself to ascertain, beyond the possibility of doubt, the views and intentions of his enemies.

It was difficult for his majesty to believe, that the emperor of Russia

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had devoted himself so blindly and fatally to the violence and ambition of the power with which his imperial majesty had unfortunately become allied, as to be prepared openly to abet the usurpation of the Spanish monarchy; and to acknowledge and maintain the right assumed by France, to depose and imprison friendly sovereigns, and forcibly to transfer to herself the allegiance of independent nations.

When, therefore, it was proposed to his majesty to enter into a negociation for a general peace, in concert with his majesty's allies, and to treat, either on the basis of the *uti-possidetis* (heretofore the subject of so much controversy,) or on any other basis, consistent with justice, honour, and equality, his majesty determined to meet this seeming fairness and moderation, with fairness and moderation, on his majesty's part, real and sincere.

The king professed his readiness to enter into such negociation, in concurrence with his allies; and undertook forthwith to communicate to them the proposals which his majesty had received.—But as his majesty was not connected with Spain by a formal treaty of alliance, his majesty thought it necessary to declare, that the engagements which he had contracted, in the face of the world, with that nation, were considered by his majesty as no less sacred, and no less binding upon his majesty, than the most solemn treaties; and to express his majesty's just confidence that the government of Spain, acting in the name of his his Catholic majesty Ferdinand the Seventh, was understood to be a party to the negociation.

The reply returned by France to this proposition of his majesty, casts off at once the thin disguise which had been assumed for a momentary purpose, and displays, with less than ordinary reserve, the arrogance and injustice of that government. The universal Spanish nation is described by the degrading appellation of "The Spanish Insurgents;" and the demand for the admission of the government of Spain, as a party to any negociation, is rejected as inadmissible and insulting.

With astonishment, as well as with grief, his majesty has received from the emperor of Russia a reply similar in effect, although less indecorous in tone and manner. The emperor of Russia also stigmatises as "insurrection," the glorious efforts of the Spanish people in behalf of their legitimate sovereign, and in defence of the independence of their country; thus giving the sanction of his imperial majesty's authority, to an usurpation, which has no parallel in the history of the world.

The king would readily have embraced an opportunity of negociation which might have afforded any hope or prospect of a peace compatible with justice and with honour. His majesty deeply laments an issue, by which the sufferings of Europe are aggravated and prolonged. But neither the honour of his majesty, nor the generosity of the British nation, would admit of his majesty's consenting to commence a negociation, by the abandonment of a brave and loyal people, who are contending for the preservation of all that is dear to man; and whose exertions, in a cause so unquestionably just, his majesty has solemnly pledged himself to sustain.

Westminster, December 15th.

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DECLARATION.

The declaration issued at St Petersburgh, by his majesty the emperor of all the Russias, has excited in his majesty's mind the strongest sensations of astonishment and regret.

His majesty was not unaware of the nature of those secret engagements which had been imposed upon Russia in the conferences of Tilsit. But his majesty had entertained the hope, that a review of the transactions of that unfortunate negociation, and a just estimate of its effects upon the glory of the Russian name, and upon the interest of the Russian empire, would have induced his imperial majesty to extricate himself from the embarrassment of those new counsels and connections which he had adopted in a moment of despondency and alarm, and to return to a policy more congenial to the principles which he has so invariably professed, and more conducive to the honour of his crown, and to the prosperity of his dominions.

This hope has dictated to his majesty the utmost forbearance and moderation in all his diplomatic intercourse with the court of St Petersburgh since the peace of Tilsit.

His majesty had much cause for suspicion, and just ground of complaint. But he abstained from the language of reproach. His majesty deemed it necessary to require specific explanation with respect to those arrangements with France, the concealment of which from his majesty could not but confirm the impression already received of their character and tendency. But his majesty, nevertheless, directed the demand of that explanation to be made, not only without asperity or the indication of any hostile disposition, but with that considerate regard to the feelings and situation of the emperor of Russia, which resulted from the recollection of former friendship, and from confidence interrupted but not destroyed.

The declaration of the emperor of Russia proves, that the object of his majesty's forbearance and moderation has not been attained. It proves, unhappily, that the influence of that power, which is equally and essentially the enemy both of Great Britain and of Russia, has acquired a decided ascendency in the counsels of the cabinet of St Petersburgh; and has been able to excite a causeless enmity between two nations, whose long-established connection, and whose mutual interests prescribed the most intimate union and cooperation.

His majesty deeply laments the extention of the calamities of war.—But called upon as he is to defend himself against an act of unprovoked hostility, his majesty is anxious to refute, in the face of the world, the pretexts by which that act is attempted to be justified.

The declaration asserts, that his majesty, the emperor of Russia, has twice taken up arms in a cause in which the interests of Great Britain were more direct than his own, and founds upon this assertion the charge against Great Britain, of having neglected to second and support the military operations of Russia.

His majesty willingly does justice to the motives which originally engaged Russia in the great struggle against France. His majesty avows, with equal readiness, the interest which Great Britain has uniformly taken in the fates and fortunes of the powers of the continent. But it would surely be difficult to prove, that Great Britain, who was herself in a state of hostility with Prussia, when the war

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broke out between Prussia and France, had an interest and a duty more direct in espousing the Prussian quarrel than the emperor of Russia, the ally of his Prussian majesty, the protector of the north of Europe, and the guarantee of the Germanic constitution.

It is not in a public declaration, that his majesty can discuss the policy of having, at any particular period of the war, effected, or omitted to effect, disembarkations of troops on the coasts of Naples. But the instance of the war with the Porte is still more singularly chosen to illustrate the charge against Great Britain, of indifference to the interests of her ally: a war undertaken by Great Britain, at the instigation of Russia, and solely for the purpose of maintaining Russian interests against the influence of France.

If, however, the peace of Tilsit is indeed to be considered as the consequence and the punishment of the imputed inactivity of Great Britain, his majesty cannot but regret that the emperor of Russia should have resorted to so precipitate and fatal a measure, at the moment when he had received distinct assurances, that his majesty was making the most strenuous exertions to fulfil the wishes and expectations of his ally; (assurances which his imperial majesty received and acknowledged with apparent confidence and satisfaction) and when his majesty was, in fact, prepared to employ, for the advancement of the common objects of the war, those forces which, after the peace of Tilsit, he was under the necessity of employing to disconcert a combination directed against his own immediate interests and security.

The vexation of Russian commerce by Great Britain is, in truth, little more than an imaginary grievance. Upon a diligent examination, made by his majesty's command, of the records of the British court of admiralty, there has been discovered only a solitary instance in the course of the present war, of the condemnation of a vessel really Russian: a vessel which had carried naval stores to a port of the common enemy. There are but few instances of Russian vessels detained; and none in which justice has been refused to a party regularly complaining of such detention. It is therefore matter of surprise, as well as of concern, to his majesty, that the emperor of Russia should have condescended to bring forward a complaint which, as it cannot be seriously felt by those in whose behalf it is urged, might appear to be intended to countenance those exaggerated declamations, by which France perseveringly endeavours to inflame the jealousy of other countries, and to justify her own inveterate animosity against Great Britain.

The peace of Tilsit was followed by an offer of mediation on the part of the emperor of Russia, for the conclusion of a peace between Great Britain and France; which it is asserted that his majesty refused.

His majesty did not refuse the mediation of the emperor of Russia, although the offer of it was accompanied by circumstances of concealment, which might well have justified his refusal. The articles of the treaty of Tilsit were not communicated to his majesty; and specifically that article of the treaty in virtue of which the mediation was proposed, and which prescribed a limited time for the return of his majesty's answer to that proposal. And his majesty was thus led into an apparent compliance with a limitation so offensive to th.

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dignity of an independent sovereign. But the answer so returned by his majesty was not a refusal. It was a conditional acceptance. The conditions required by his majesty were,—a statement of the basis upon which the enemy was disposed to treat; and a communication of the articles of the peace of Tilsit. The first of these conditions was precisely the same which the emperor of Russia had himself annexed not four months before to his own acceptance of the proffered mediation of the emperor of Austria. The second was one which his majesty would have had a right to require, even as the ally of his imperial majesty; but which it would have been highly improvident to omit, when he was invited to confide to his imperial majesty the care of his honour and of his interests.

But even if these conditions (neither of which has been fulfilled, although the fulfilment of them has been repeatedly required by his majesty's ambassador at St Petersburgh,) had not been in themselves perfectly natural and necessary; there were not wanting considerations which might have warranted his majesty in endeavouring, with more than ordinary anxiety, to ascertain the views and intentions of the emperor of Russia, and the precise nature and effect of the new relations which his imperial majesty had contracted.

The complete abandonment of the interests of the king of Prussia (who had twice rejected proposals of separate peace, from a strict adherence to his engagements with his imperial ally) and the character of those provisions which the emperor of Russia was contented to make for his own interests in the negociations of Tilsit, presented no encouraging prospect of the result of any exertions which his imperial majesty might be disposed to employ in favour of Great Britain.

It is not while a French army still occupies and lays waste the remaining dominions of the king of Prussia, in spite of the stipulations of the Prussian treaty of Tilsit; while contributions are arbitrarily exacted by France from that remnant of the Prussian monarchy, such as, in its entire and most flourishing state, the Prussian monarchy would have been unable to discharge; while the surrender is demanded, in time of peace, of Prussian fortresses, which had not been reduced during the war; and while the power of France is exercised over Prussia with such shameless tyranny, as to designate, and demand for instant death, individuals, subjects of his Prussian majesty, and resident in his dominions, upon a charge of disrespect towards the French government; it is not while all these things are done and suffered, under the eyes of the emperor of Russia, and without his interference on behalf of his ally, that his majesty can feel himself called upon to account to Europe, for having hesitated to repose an unconditional confidence in the efficacy of his imperial majesty's mediation.

Nor, even if that mediation had taken full effect, if a peace had been concluded under it, and that peace guaranteed by his imperial majesty, could his majesty have placed implicit reliance on the stability of any such arrangement, after having seen the emperor of Russia openly transfer to France the sovereignty of the Ionian republic, the independence of which his imperial majesty had recently and solemnly guaranteed.

But while the alleged rejection of the emperor of Russia's mediation,

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between Great Britain and France, is stated as a just ground of his imperial majesty's resentment; his majesty's request of that mediation, for the re-establishment of peace between Great Britain and Denmark, is represented as an insult which it was beyond the bounds of his imperial majesty's moderation to endure.

His majesty feels himself under no obligation to offer any atonement or apology to the emperor of Russia for the expedition against Copenhagen. It is not for those who were parties to the secret arrangements of Tilsit, to demand satisfaction for a measure to which those arrangements gave rise, and by which one of the objects of them has been happily defeated.

His majesty's justification of the expedition against Copenhagen is before the world. The declaration of the emperor of Russia would supply whatever was wanting in it, if any thing could be wanting to convince the most incredulous of the urgency of that necessity under which his majesty acted.

But until the Russian declaration was published, his majesty had no reason to suspect that any opinions which the Emperor of Russia might entertain of the transactions at Copenhagen could be such as to preclude his imperial majesty from undertaking, at the request of Great Britain, that same office of mediator, which he had assumed with so much alacrity on the behalf of France.—Nor can his majesty forget that the first symptoms of reviving confidence, since the peace of Tilsit, the only prospect of success in the endeavours of his majesty's ambassador to restore the ancient good understanding between Great Britain and Russia, appeared when the intelligence of the siege of Copenhagen had been recently received at St Petersburgh.

The inviolability of the Baltic sea, and the reciprocal guarantees of the powers that border upon it, guarantees said to have been contracted with the knowledge of the British government, are stated as aggravations of his majesty's proceedings in the Baltic. It cannot be intended to represent his majesty as having at any time acquiesced in the principles upon which the inviolability of the Baltic is maintained; however, his majesty may, at particular periods, have forborne, for special reasons, influencing his conduct at the time to act in contradiction to them. Such forbearance never could have applied but to a state of peace and real neutrality in the north; and his majesty most assuredly could not be expected to recur to it, after France has been suffered to establish herself in indisputed sovereignty along the whole coast of the Baltic sea, from Dantzic to Lubeck.

But the higher the value which the emperor of Russia places on the engagements respecting the tranquillity of the Baltic, which he describes himself as inheriting from his immediate predecessors, the empress Catharine and the emperor Paul, the less justly can his imperial majesty resent the appeal made to him by his majesty as the guarantee of the peace to be concluded between Great Britain and Denmark. In making that appeal, with the utmost confidence and sincerity, his majesty neither intended, nor can he imagine, that he offered any insult to the emperor of Russia. Nor can his majesty conceive that, in proposing to the prince royal terms of peace, such as the most successful war on the part of Denmark

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could hardly have been expected to extort from Great Britain, his majesty rendered himself liable to the imputation, either of exasperating the resentment, or of outraging the dignity, of Denmark.

His majesty has thus replied to all the different accusations by which the Russian government labours to justify the rupture of a connection which has subsisted for ages, with reciprocal advantage to Great Britain and Russia; and attempts to disguise the operation of that external influence by which Russia is driven into unjust hostilities for interests not her own.

The Russian declaration proceeds to announce the several conditions on which alone these hostilities can be terminated, and the intercourse of the two countries renewed.

His majesty has already had occasion to assert, that justice has in no instance been denied to the claims of his imperial majesty's subjects.

The termination of the war with Denmark has been so anxiously sought by his majesty, that it cannot be necessary for his majesty to renew any professions upon that subject. But his majesty is at a loss to reconcile the emperor of Russia's present anxiety for the completion of such an arrangement, with his imperial majesty's recent refusal to contribute his good offices for effecting it.

The requisition of his imperial majesty for the immediate conclusion, by his majesty, of a peace with France, is as extraordinary in the substance, as it is offensive in the manner. His majesty has at no time declined to treat with France, when France has professed a willingness to treat on an admissible basis. And the emperor of Russia cannot fail to remember, that the last negociation between Great Britain and France was broken off upon points immediately affecting, not his majesty's own interests, but those of his imperial ally. But his majesty neither understands, nor will he admit, the pretension of the emperor of Russia to dictate the time or the mode of his majesty's pacific negociations with other powers. It never will be endured by his majesty, that any government shall indemnify itself for the humiliation of subserviency to France, by the adoption of an insulting and peremptory tone towards Great Britain.

His majesty proclaims anew those principles of maritime law, against which the armed neutrality, under the auspices of the empress Catharine, was originally directed; and against which the present hostilities of Russia are denounced. Those principles have been recognized and acted upon in the best periods of the history of Europe; and acted upon by no power with more strictness and severity, than by Russia herself, in the reign of the empress Catherine.

Those principles it is the right and the duty of his majesty to maintain; and against every confederacy his majesty is determined, under the blessing of Divine Providence, to maintain them. They have at all times contributed essentially to the support of the maritime power of Great Britain; but they are become incalculably more valuable and important at a period when the maritime power of Great Britain constitutes the sole remaining bulwark against the overwhelming usurpations of France; the only refuge to which other nations may yet resort, in happier times, for assistance and protection.

When the opportunity for peace between Great Britain and Russia shall arrive, his majesty will embrace

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it with eagerness. The arrangements of such a negociation will not be difficult or complicated. His majesty, as he has nothing to concede, so he has nothing to require; satisfied if Russia shall manifest a disposition to return to her ancient feelings of friendship towards Great Britain; to a just consideration of her own true interests, and to a sense of her own dignity as an independent nation.

Westminster, Dec. 18, 1807.

No. IV.

Orders in Council, presented to the House of Commons, by his Majesty's Command, Jan. 26, 1808.

Order in Council; prohibiting Trade to be carried on between Port and Port of Countries under the dominion or usurped controul of France and her Allies.

At the Court at the Queen's Palace, the 7th of January 1807; Present, the King's most excellent Majesty in Council.—Whereas the French government has issued certain orders, which, in violation of the usages of war, purport to prohibit the commerce of all Neutral Nations with his majesty's dominions, and also to prevent such nations from trading with any other country, in any articles, the growth, produce, or manufacture of his majesty's dominions: and whereas the said government has also taken upon itself to declare all his majesty's dominions to be in a state of blockade, at a time when the fleets of France and her allies are themselves confined within their own ports by the superior valour and discipline of the British navy: and whereas such attempts on the part of the enemy would give to his majesty an unquestionable right of retaliation, and would warrant his majesty in enforcing the same prohibition of all commerce with France, which that power vainly hopes to effect against the commerce of his majesty's subjects; a prohibition which the superiority of his majesty's naval forces might enable him to support, by actually investing the ports and coast of the enemy with numerous squadrons and cruisers, so as to make the entrance or approach thereto manifestly dangerous; and whereas his majesty, though unwilling to follow the example of his enemies, by proceeding to an extremity so distressing to all nations not engaged in the war, and carrying on their accustomed trade, yet feels himself bound by a due regard to the just defence of the rights and interests of his people, not to suffer such measures to be taken by the enemy, without taking some steps on his part to restrain this violence, and to retort upon them the evils of their own injustice; his majesty is thereupon pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that no vessel shall be permitted to trade from one port to another, both which ports shall belong to or be in the possession of France or her allies, or shall be so far under their controul, as that British vessels may not freely trade thereat: and the commanders of his majesty's ships of war and privateers shall be, and are hereby instructed to warn every neutral vessel coming from any such port, and destined to another such port, to discontinue her voyage, and not to proceed to any such port; and any vessel after being so warned, or any vessel coming from any such port, after a reasonable time shall have been afforded for receiving information of this his majesty's order, which shall be found proceeding to another such port, shall be captured and brought in, and, together with he

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cargo, shall be condemned as lawful prize: and his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty, and courts of vice-admiralty, are to take the necessary measures herein as to them shall respectively appertain. (Signed) WM. FAWKENER.

Order in Council; containing certain Regulations under which the Trade to and from the enemies Country shall be carried on.

At the Court at the Queen's Palace, the 11th Nov. 1807: present, the King's most excellent Majesty in Council.—Whereas articles of the growth and manufacture of foreign countries cannot by law be imported into this country, except in British ships, or in ships belonging to the countries of which such articles are the growth and manufacture, without an order in council specially authorising the same:—His majesty, taking into consideration the order of this day's date, respecting the trade to be carried on to and from the ports of the enemy, and deeming it expedient that any vessel, belonging to any country in alliance or at amity with his majesty, may be permitted to import into this country articles of the produce or manufacture of countries at war with his majesty:—His majesty, by and with the advice of his privy council, is therefore pleased to order, and it is hereby ordered, that all goods, wares, or merchandizes, specified and included in the schedule of an act, passed in the 43d year of his present majesty's reign, intituled, "an act to repeal the duties of customs payable in Great Britain, and to grant other duties in lieu thereof," may be imported from any port or place belonging to any state not at amity with his majesty, in ships belonging to any state at amity with his majesty, subject to the payment of such duties, and liable to such drawbacks, as are now established by law upon the importation of the said goods, wares, or merchandise, in ships navigated according to law: and with respect to such of the said goods, wares, or merchandize, as are authorized to be warehoused under the provisions of an act, passed in the 43d year of his present majesty's reign, intituled, "an act for permitting certain goods imported into Great Britain, to be secured in warehouses without payment of duty," subject to all the regulations of the said last-mentioned act; and with respect to all articles which are prohibited by law from being imported into this country, it is ordered, that the same shall be reported for exportation to any country in amity or alliance with his majesty.—And his majesty is further pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that all vessels which shall arrive at any port of the united kingdom, or at the port of Gibraltar, or Malta, in consequence of having been warned pursuant to the aforesaid order, or in consequence of receiving information in any other manner of the said order, subsequent to their having taken on board any part of their cargoes, whether previous or subsequent to their sailing, shall be permitted to report their cargoes for exportation, and shall be allowed to proceed upon their voyages to their original ports of destination (if not unlawful before the issuing of the order) or to any port at amity with his majesty, upon receiving a certificate from the collector or comptroller of the customs at the port at which they shall so

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enter (which certificate the said collectors and comptrollers of the customs are hereby authorized and required to give) setting forth, that such vessels came into such port in consequence of being so warned, or of receiving such information as aforesaid, and that they were permitted to sail from such port under the regulations which his majesty has been pleased to establish in respect to such vessels: but in case any vessel so arriving shall prefer to import her cargo, then such vessel shall be allowed to enter and import the same, upon such terms and conditions as the said cargo might have been imported upon, according to law, in case the said vessel had sailed after having received notice of the said order, and in conformity thereto.—And it is further ordered, that all vessels which shall arrive at any port of the united kingdom, or at Gibraltar, or Malta, in conformity and obedience to the said order, shall be allowed, in respect to all articles which may be on board the same, except sugar, coffee, wine, brandy, snuff, and tobacco, to clear out to any port whatever, to be specified in such clearance; and, with respect to the last-mentioned articles, to export the same to such ports and under such conditions aud regulations only as his majesty, by any licence to be granted for that purpose, may direct.—And the right hon. the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty and courts of vice-admiralty, are to take the necessary measures herein, as to them shall respectively appertain.

(Signed) W. Fawkener.

Order in Council; declaring the future Sale and Transfer of Enemies Vessels to the Subjects of a Neutral Country, to be invalid.

At the Court at the Queen's Palace, the 11th Nov. 1807; present, the King's most excellent Majesty in Council.—Whereas the sale of ships by a belligerent to a neutral, is considered by France to be illegal:—And whereas a great part of the shipping of France and her allies has been protected from capture during the present hostilities by transfers, or pretended transfers, to neutrals:—And whereas it is fully justifiable to adopt the same rule, in this respect, towards the enemy, which is applied by the enemy to this country:—His majesty is pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that in future the sale to a neutral of any vessel belonging to his majesty's enemies shall not be deemed to be legal, nor in any manner to transfer the property, nor to alter the character of such vessel: and all vessels now belonging, or which shall hereafter belong to any enemy of his majesty, notwithstanding any sale or pretended sale to a neutral, after a reasonable time shall have elapsed for receiving information of this his majesty's order at the place where such sale or pretended sale was effected, shall be captured and brought in, and shall be adjudged as lawful prize to the captors.—And the right hon. the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty and courts of vice-admiralty, are to take the necessary measures

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measures herein, as to them shall respectively appertain.

(Signed) W. FAWKENER.

Order in Council; declaring the Dominions of his Majesty's Enemies, and of Countries under their Controul, in a state of blockade, under the exceptions specified in the said Order.

At the Court at the Queen's Palace, the 11th Nov. 1807; present the King's most excellent Majesty in Council.—Whereas certain orders, establishing an unprecedented system of warfare against this kingdom, and aimed especially at the destruction of its commerce and resources, were some time since issued by the government of France, by which "the British islands were declared to be in a state of blockade," thereby subjecting to capture and condemnation all vessels, with their cargoes, which should continue to trade with his majesty's dominions:—And whereas by the same orders, "all trading in English merchandize is prohibited; and every article of merchandize belonging to England, or coming from her colonies, or of her manufacture, is declared lawful prize:"—And whereas the nations in alliance with France, and under her controul, were required to give, and have given, and do give, effect to such orders:—And whereas his majesty's order of the 7th of January last, has not answered the desired purpose, either of compelling the enemy to recall those orders, or of inducing neutral nations to interpose with effect, to obtain their revocation; but, on the contrary, the same have been recently enforced with increased rigour:—And whereas his majesty, under these circumstances, finds himself compelled to take further measures for asserting and vindicating his just rights, and for supporting that maritime power which the exertions and valour of his people have, under the blessing of Providence, enabled him to establish and maintain; and the maintenance of which is not more essential to the safety and prosperity of his majesty's dominions, than it is to the protection of such states as still retain their independence, and to the general intercourse and happiness of mankind:—His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that all the ports and places of France and her allies, or of any other country at war with his majesty, and all other ports or places in Europe, from which although not at war with his majesty, the British flag is excluded, and all ports or places in the colonies belonging to his majesty's enemies, shall from henceforth be subject to the same restrictions, in point of trade and navigation, with the exceptions herein after mentioned, as if the same were actually blockaded by his majesty's naval forces, in the most strict and rigorous manner: and it is hereby further ordered and declared, that all trade in articles which are of the produce or manufacture of the said countries or colonies, shall be deemed and considered to be unlawful; and that every vessel trading from or to the said countries or colonies, together with all goods and merchandize on board, and all articles of the produce or manufacture of the said countries or colonies, shall be captured and condemned as prize to the captors.—But although his majesty would be fully justified, by the circumstances and considerations above recited, in establishing such system of restrictions with respect to all the countries

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and colonies of his enemies, without exception or qualification; yet his majesty being nevertheless desirous not to subject neutrals to any greater inconvenience than is absolutely inseparable from the carrying into effect his majesty's just determination to counteract the designs of his enemies, and to retort upon his enemies themselves the consequences of their own violence and injustice; and being yet willing to hope that it may be possible (consistently with that object) still to allow to neutrals the opportunity of furnishing themselves with colonial produce for their own consumption and supply; and even to leave open, for the present, such trade with his majesty's enemies as shall be carried on directly with the ports of his majesty's dominions, or of his allies, in the manner hereinafter mentioned:—His majesty is therefore pleased further to order, and it is hereby ordered, that nothing herein contained shall extend to subject to capture or condemnation any vessel, or the cargo of any vessel, belonging to any country not declared by this order to be subjected to the restrictions incident to a state of blockade, which shall have cleared out with such cargo from some port or place of the country to which she belongs, either in Europe or America, or from some free port in his majesty's colonies, under circumstances in which such trade from such free port is permitted, direct to some port or place in the colonies of his majesty's enemies, or from those colonies direct to the country to which such vessel belongs, or to some free port in his majesty's colonies, in such cases, and with such articles, as it may be unlawful to import into such free port;—nor to any vessel, or the cargo of any vessel, belonging to any country not at war with his majesty, which shall have cleared out from some port or place in this kingdom or from Gibraltar or Malta, under such regulations as his majesty may think fit to prescribe, or from any port belonging to his majesty's allies and shall be proceeding direct to the port specified in her clearance;—nor to any vessel, or the cargo of any vessel, belonging to any country not at war with his majesty, which shall be coming from any port or place in Europe which is declared by this order to be subject to the restrictions incident to a state of blockade, destined to some port or place in Europe belonging to his majesty, and which shall be on her voyage direct thereto: but these exceptions are not to be understood as exempting from capture or confiscation any vessel or goods which shall be liable thereto in respect of having entered or departed from any port or place actually blockaded by his majesty's squadrons or ships of war, or for being enemies' property, or for any other cause than the contravention of this present order.—And the commanders of his majesty's ships of war and privateers, and other vessels acting under his majesty's commission, shall be, and are hereby instructed to warn every vessel which shall have commenced her voyage prior to any notice of this order, and shall be destined to any port of France, or of her allies, or of any other country at war with his majesty, or to any port or place from which the British flag as aforesaid is excluded, or to any colony belonging to his majesty's enemies, and which shall not have cleared out as is herein before allowed, to discontinue her voyage, and to proceed to some port or place in this kingdom, or to Gib-

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raltar or Malta; and any vessel which after having been so warned, or after a reasonable time shall have been afforded for the arrival of information of this his majesty's order at any port or place from which she sailed, or which, after having notice of this order, shall be found in the prosecution of any voyage contrary to the restrictions contained in this order, shall be captured, and, together with her cargo condemned as lawful prize to the captors.—And whereas countries, not engaged in the war, have acquiesced in the orders of France, prohibiting all trade in any articles the produce or manufacture of his majesty's dominions; and the merchants of those countries have given countenance and effect to those prohibitions, by accepting from persons styling themselves commercial agents of the enemy, resident at neutral ports, certain documents, termed "Certificates of Origin," being certificates obtained at the ports of shipment, declaring that the articles of the cargo are not of the produce or manufacture of his majesty's dominions; or to that effect:—And whereas this expedient has been directed by France, and submitted to by such merchants, as part of the new system of warfare directed against the trade of this kingdom, and as the most effectual instrument of accomplishing the same, and it is therefore essentially necessary to resist it:—His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, That if any vessel, after reasonable time shall have been afforded for receiving notice of this his majesty's order at the port or place from which such vessel shall have cleared out, shall be found carrying any such certificate or document as aforesaid, or any document referring to or authenticating the same, such vessel shall be adjudged lawful prize to the captor, together with the goods laden therein, belonging to the person or persons by whom, or on whose behalf, any such document was put on board.—And the right hon. the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty and courts of vice-admiralty, are to take the necessary measures herein as to them shall respectively appertain.

(Signed) W. Fawkener.

Draught of Instructions to the Commanders of his Majesty's Ships of War and Privateers, and to the Judge of the High Court of Admiralty, and Judges of the Courts of Vice-Admiralty. Given, &c.

Whereas by our order in council of the 11th Nov. instant, it is recited and ordered as follows; to wit, &c. Our will and pleasure is, and we do hereby direct, by and with the advice of our privy council, that the commmanders of our ships of war and privateers do act in due conformity to and execution of our aforesaid order in council; and we do further order and declare, That nothing in the said order shall extend or be construed to extend or prevent any vessel, not belonging to a country declared to be under the restrictions of blockade as aforesaid, from carrying from any port or place of the country to which such vessel belongs, any articles of manufacture or produce whatever, not being enemies' property, to any port or place in this kingdom. And we do further direct, That all articles of British manufac-

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ture, upon due proof thereof, (not being naval or military stores) shall be restored by our courts of admiralty or vice-admiralty, on whatever voyage they may have been captured, to whomsoever the same shall appear to belong: and we do further direct, with respect to vessels subject only to be warned, that any vessel which shall belong to any country not declared by the said order to be under the restrictions of blockade, and which shall be proceeding on her voyage direct to some port or place of the country to which such vessel belongs, shall be permitted to proceed on her said voyage; and any vessel bound to any port in America or the West Indies, to which port or place such vessel does not belong, and which is met near to America or the West Indies, shall be permitted, at the choice of the master of such vessel, to proceed either to Halifax, or to one of our free ports in the West Indies, at the option of such master, which choice of the master, and the port chosen by and assigned to him, shall be written on one or more of the principal ship's papers; and any vessel subject to warning, met beyond the equator, shall in like manner be permitted to proceed, at the choice of the master of such vessel, either to St Helena, the Cape of Good Hope, or the island of Ceylon; and any such vessel which shall be bound to any port or place in Europe, shall be permitted, at the choice of the master of such vessel, to proceed either to Gibraltar or Malta, or to any port in this kingdom, at the option of such master, which request of the master, as well as the port chosen by and assigned to him, shall be in like manner written upon one or more of the principal ship's papers: and we do further direct, that nothing in the above order contained, shall extend, or be construed to extend, to repeal or vacate the additional instructions of the 4th day of February last, directing that neutral vessels laden with cargoes consisting of the articles therein enumerated, coming for importation to any port of our united kingdom (provided they are not coming from any port in a state of strict and rigorous blockade) shall not be interrupted.

Draught of an additional Instruction to the Commanders of our Ships of War and Privateers, and to the Judge of our High Court of Admiralty, and the Judges of our Courts of Vice-Admiralty. Given, &c.

Our will and pleasure is, that vessels belonging to any state not at war with us, laden with cargoes in any ports of the united kingdom, and clearing out according to law, shall not be interrupted or molested in proceeding to any port in Europe (except ports specially notified to be in a state of strict and rigorous blockade before our order of the 11th Nov. instant) or which shall hereafter be so notified, to whomsoever the goods laden on board such vessels may appear to belong: and we do further direct, that vessels belonging as aforesaid, coming from any port in Europe (except as before excepted) direct to any port of the united kingdom with goods for importation, shall not be interrupted in the said voyages, to whomsoever the goods laden on board the said vessels may appear to belong; and in case any vessel which shall be met with, and asserted by her master to be so coming, shall be detained, on suspicion of not being really destined to this kingdom, such vessel shall be brought to the most convenient port in the course of her asserted destination, and the captors are hereby re-

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quired to inquire, with all convenient speed, into the alledged destination; and in case any vessel and goods so brought in and detained shall be proceeded against in our high court of admiralty, or in any courts of vice-admiralty, we hereby direct that the same shall be forthwith restored, upon satisfactory proof being made that the cargo was coming for importation to a port of this kingdom.

Order in Council; appointing times at which notice shall be presumed to have been received of the order of the 11th instant at the different places specified in the said order.

At the Court at the Queen's Palace, the 25th Nov. 1807; present, the King's most excellent Majesty in Council.—Whereas it has been represented that it would be expedient to fix certain periods, at which it shall be deemed that a reasonable time shall have elapsed for receiving information, at different places, of his majesty's order in council of the 11th Nov. instant, respecting the trade with his majesty's enemies, and in their produce and manufactures: his majesty, taking the same into consideration, and being desirous to obviate any difficulties that may arise in respect thereto, and also to allow ample time for the said order being known to all persons who may be affected thereby, is pleased, by and with the advice of his privy council, to order and declare, and it is hereby ordered and declared, That information of the said order of the 11th Nov. instant, shall be taken and held to have been received in the places herein after mentioned, at the periods respectively assigned to them; namely, ports and places within the Baltic, Dec. 21st 1807; other ports and places to the northward of Amsterdam, Dec. 11th 1807; from Amsterdam to Ushant, Dec. 4th 1807; from Ushant to Cape Finisterre, Dec, 8th, 1807; from Cape Finisterre to Gibraltar, inclusive, Dec. 13th 1807; Madeira, Dec. 13th, 1807; ports and places within the Streights of Gibraltar, to Sicily and Malta, and the west coast of Italy, inclusive, Jan. 1st, 1808; all other ports and places in the Mediterranean, beyond Sicily and Malta, Jan. 20th 1808; ports and places beyond the Dardanelles, Feb. 1st 1808; any part of the north and western coast of Africa, or the islands adjacent, except Madeira, Jan. 11th 1808; the United States, and British possessions in North America and the West Indies, Jan. 20th 1808; Cape of Good Hope, and the east coast of South America, March 1st 1808; India, May 1st 1808; China, and the coast of South America, June 1st 1808: and every vessel sailing on or after those days from those places respectively, shall be deemed and taken to have received notice of the aforesaid order: and it is further ordered, That if any vessel shall sail within twenty days after the periods above assigned respectively, from any of the said places, in contravention of the said order of the 11th Nov. instant, and shall be detained as prize on account thereof, or shall arrive at any port in this kingdom, destined to some port or place within the restriction of the said order, and proof shall be made to the satisfaction of the court of Admiralty, in which such vessel shall be proceeded against, in case the same shall be brought in as prize, that the loading of the said vessel had commenced before the said periods, and before information of the said order had actually been received at the port of shipment, the said vessel, together with the goods

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so laden, shall be restored to the owner or owners thereof, and shall be permitted to proceed on her voyage, in such manner as if such vessel had sailed before the day so specified as aforesaid: and it is further orderd, That no proof shall be admitted, or be gone into, for the purpose of shewing that information of the said order of the 11th Nov. instant had not been received at the said places respectively, at the several periods before assigned. And the right hon. the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty, and courts of vice-admiralty, are to take the necessary measures herein as to them shall respectively appertain.

(Signed) W. Fawkener.

Order in Council; establishing certain regulations, as to vessels clearing out from this kingdom, with reference to the order of the 11th of November instant.

At the Court at the Queen's Palace, the 25th Nov. 1807; present, the King's most excellent Majesty in Council. Whereas his majesty, by his order in council, dated 11th of Nov. instant, respecting the trade to be carried on with his majesty's enemies, was pleased to exempt from the restrictions of the said order all vessels which shall have cleared out from any port or place in this kingdom, under such regulations as his majesty may think fit to prescribe, and shall be proceeding direct to the ports specified in the respective clearances: his majesty, taking into consideration the expediency of making such regulations, is pleased, by and with the advice of his privy council, to order, and it is hereby ordered, That all vessels belonging to countries not at war with his majesty, shall be permitted to lade in any port of the united kingdom any goods, being the produce or manufacture of his majesty's dominions, or East-India goods or prize goods (all such goods having been lawfully imported) and to clear out with, and freely to convey the same to any port or place in any colony in the West Indies or America, belonging to his majesty's enemies, such port or place not being in a state of actual blockade, subject to the payment of such duties as may, at the time when any such vessels may be cleared out, be due by law on the exportation of any such goods, or in respect of the same being destined to the ports of the colonies belonging to his majesty's enemies; and likewise to lade, clear out with, and convey as aforesaid, any articles of foreign produce or manufacture which shall have been lawfully imported into this kingdom, provided his majesty's licence shall have been previously obtained for so conveying such foreign produce or manufactures: and it is further ordered, That any vessel belonging as aforesaid, shall be permitted to lade in any port of the united kingdom any goods, not being naval or military stores, which shall be of the growth, produce, or manufacture of this kingdom, or which shall have been lawfully imported, (save and except foreign sugar, coffee, wine, brandy, snuff, and cotton) and to clear out with, and freely to convey the same to any part, to be specified in the clearance, not being in a state of actual blockade, although the same shall be under the restrictions of the said order; and likewise to lade, clear out, and convey foreign sugar, coffee, wine, brandy, snuff, and

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cotton, which shall have been lawfully imported, provided his majesty's licence shall have been previously obtained for the exportation and conveyance thereof: and it is hereby further ordered, That no vessel shall be permitted to clear out from any port or place in this kingdom, to any port or place of any country subjected to the restrictions of the said order, with any goods which shall have been laden, after notice of the said order, on board the vessel which shall have imported the same into this kingdom, without having first duly entered and landed the same in some port or place in this kingdom; and that no vessel shall be permitted to clear out from any port or place in this kingdom to any port or place whatever, with any goods, the produce or manufacture of any country subjected to the restrictions of the said order, which shall have been laden, after notice as aforesaid, on board the vessel importing the same, without having so duly entered and landed the same, or with any goods whatever which shall have been laden after such notice in the vessel importing the same, in any port or place of any country subjected to the restrictions of the said order, without having so duly entered and landed the same in some port or place in this kingdom, except the cargo shall consist wholly of flour, meal, grain, or article or articles the produce of the soil of some country which is not subjected to the restrictions of the said order, except cotton, and which shall have been imported in an unmanufactured state direct from such country into this kingdom, in a vessel belonging to the country from which such goods have been brought, and in which the same were grown and produced: and it is further ordered, That any vessel belonging to any country not at war with his majesty, may clear out from Guernsey, Jersey, or Man, to any port or place under the restrictions of the said order, which shall be specified in the clearance, not being in a state of actual blockade, with such articles only, not being naval or military stores, as shall have been legally imported into such islands respectively, from any port or place in this kingdom direct; and with respect to all such articles as may have been imported into the said islands respectively, from any port or place under the restrictions of the said order, it shall not be permitted to any vessel to clear out with the same from any of the said islands, except to some port or place in this kingdom. And the right hon. the lords commissioners of his majesty's treasury, his majesty's principal secretaties of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty and courts of vice-admiralty, are to take the necessary measures herein as to them shall respectively appertain. (Signed) W. FAWKENER.

Order in Council; establishing certain regulations as to vessels clearing out from the ports of Gibraltar and Malta, with reference to the order of the 11th Nov. instant.

At the Court at the Queen's Palace, the 25th Nov. 1807; present, the King's most excellent Majesty in Council.—Whereas his majesty, by his Order in Council, dated the 11th Nov. instant, respecting the trade to be carried on with his majesty's enemies, was pleased to exempt from the restrictions of the said order all vessels belonging to any country not at war with his majesty, together with their cargo, which shall be coming from any port or place in Europe

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which is declared in the said order to be subject to the restrictions incident to a state of blockade, direct to some port or place in Europe belonging to his majesty; and also all vessels which shall be cleared out from Gibraltar or Malta under such regulations as his majesty may think fit to prescribe, and which shall be proceeding direct to the ports specified in their respective clearances: and whereas it is expedient to encourage the trade from Gibraltar and Malta to countries under the restrictions of the said order, subject to regulations to be made in respect thereto: his majesty is therefore pleased to prescribe the following regulations in regard to such trade accordingly, and, by and with the advice of his privy council, to order, and it is hereby ordered, That all sorts of flour and meal, and all sorts of grain, tobacco, and any other article in an unmanufactured state, being the growth and produce of any country not being subjected by the said order to the restrictions incident to a state of blockade (except cotton, and naval and military stores) which shall have been imported into Gibraltar or Malta, direct from the country where the same were grown and produced, shall, without any licence, be permitted to be cleared out to any port or place, not being in a state of actual blockade, without the same being compelled to be landed: but neither the said article of cotton, however imported, nor any article which is not the growth, produce, or manufacture of this kingdom, or which has not been imported in a British ship, or from this kingdom direct, (except fish) and which shall have been laden at the port of original shipment, after the period directed by an order of this date to be taken as the time at which notice of the said order of the 11th Nov. shall be considered as having been received at such port of shipment, shall be permitted to be exported from Gibraltar or Malta, except to some port or place in this kingdom: and all other articles of the growth, produce and manufacture of this kingdom, or which shall have been imported into Gibraltar or Malta in a British ship, or from some port or place in this kingdom, together with the article of fish, however imported, may be exported to any ports or places in the Mediterranean or Portugal, under such licence only as is hereinafter directed to be granted by the governor of Gibraltar and Malta respectively: and it is hereby further ordered, That licences be granted by the governors, lieutenant-governors, or other persons having the chief civil command at Gibraltar or at Malta respectively, but in his majesty's name, to such person or persons as the said governors, lieutenant-governors, or persons having the chief civil command shall think fit, allowing such person or persons to export from Gibraltar direct, to any port in the Mediterranean, or to any port of Portugal, or to any port of Spain without the Mediterranean, not further north than Cape Finisterre, and from Malta direct to any port being within the Mediterranean, with any articles of the produce or manufacture of his majesty's dominions; and any articles which shall have been imported into Gibraltar or Malta from this kingdom, to whomsoever such articles shall appear to belong (not being naval or military stores) in any vessel belonging to any country not at war with his majesty, or in any vessel not exceeding one hundred tons burthen, and being unarmed, belonging to the country to which

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such vessel shall be cleared out and going; and also to import in any such vessel or vessels as aforesaid, from any port within the Mediterranean, to Gibraltar or Malta, or from any port in Portugal or Spain as aforesaid, to Gibraltar, such port and such destination respectively to be specified in such licence, any articles of merchandize whatsoever and to whomsoever the same may appear to belong, such articles to be specified in the bill of lading of such vessel, subject however to such further regulations and restrictions with respect to all or any of the said articles so to be imported or exported, as may be inserted in the said licences by the governors, lieutenant governors, or other persons having the chief civil command at Gibraltar or Malta for the time being respectively, as to them shall from time to time seem fit and expedient.---And it is further ordered, That in every such licence shall be inserted the names and residence of the person or persons to whom it shall be granted, the articles and their quantities permitted to be exported, the name and description of the vessel and of the master thereof, the port to which the vessel shall be allowed to go, which shall be some port not under actual blockade; and that no licence so to be granted, shall continue in force for longer than two months from its date, nor for more than one voyage, or any such licence be granted, or acknowledged to be valid, if granted, to permit the clearance of any vessel to any port which shall be actually blockaded by any naval force of his majesty, or of his allies.---And it is further ordered, That the commanders of his majesty's ships of war and privateers, and all others whom it may concern, shall suffer every such vessel sailing conformably to the permission given by this order, or having any licence as aforesaid, to pass and repass direct between Gibraltar or Malta, and such port as shall be specified in the licence, in such manner, and under such terms, regulations, and restrictions, as shall be expressed therein.---And it is further ordered, That in case any vessel so sailing as aforesaid, for which any such licence as aforesaid shall have been granted, and which shall be proceeding direct upon her said voyage, shall be detained and brought in for legal adjudication, such vessel, with her cargo, shall be forthwith released by the court of admiralty or vice-admiralty, in which proceedings shall be commenced, upon proof being made that the parties had duly conformed to the terms, regulations, and restrictions of the said licence; the proof of such conformity to lie upon the person or persons claiming the benefit of this order, or obtaining or using such licence, or claiming the benefit thereof.—And it is hereby further ordered, That no vessel belonging to any state on the coast of Barbary, shall be prevented from sailing with any articles of the growth or produce of such state, from any port or place in such state to any port or place in the Mediterranean or Portugal, such port or place not being actually blockaded by some naval force belonging to his majesty, or his allies, without being obliged to touch at Gibraltar or Malta—And the right hon. the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty, and courts of vice-

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admiralty, are to take the necessary measures herein as to them shall respectively appertain.

(Signed) W. FAWKENER

Order in Council; respecting enemies produce and manufacture on board British ships.

At the Court at the Queen's Palace, the 25th Nov. 1807; present, the King's most excellent Majesty in Council.---Whereas his majesty, by his order in council of the 11th Nov. inst. was pleased to order and declare, that all trade in articles which are of the produce or manufacture of the countries and colonies mentioned in the said order, shall be deemed and considered to be unlawful (except as is therein excepted:) his majesty, by and with the advice of his privy council, is pleased to order and declare, and it is hereby ordered and declared, That nothing in the said order contained shall extend to subject to capture and confiscation any articles of the produce and manufacture of the said countries and colonies, laden on board British ships, which would not have been subject to capture and confiscation if such order had not been made. And the right hon. the lords commmissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty, and courts of vice-admiralty, are to take the necessary measures herein as to them shall respectively appertain.

(Signed) W. FAWKENER.

Order in Council; declaring that his Majesty's Orders of the 11th of Nov. shall not extend to permit the produce of enemies Colonies in the West Indies to be brought direct to any British port in Europe.

At the Court at Windsor, the 18th Dec. 1807; present, the King's most excellent Majesty in Council.---His majesty is pleased, by and with the advice of his privy council, to order, and it is hereby ordered, That nothing in his majesty's order in council of the 11th Nov. last, shall extend, or be construed to extend, to permit any vessel to import any articles of the produce or manufacture of the enemy's colonies in the West Indies, direct from such colonies to any port of this kingdom: and it is further ordered, That all vessels which may arrive in the ports of this kingdom direct from the colonies aforesaid, shall nevertheless be released, upon proof being made that the charter-part or other agreement for the voyage was entered into before notice of this order. And the right hon. the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty and the courts of vice-admiralty, are to take the necessary measures herein as to them shall respectively appertain.

(Signed) W. FAWKENER.

No. V.

French Commercial Decree, signed Napoleon, and dated at Milan, Nov. 23, 1807.

Napoleon, Emperor of the French, King of Italy, and Protector of the Confederation of the Rhine.—Upon the report of our minister of the finances, we have decreed, and do decree as follows:—Art. I. All vessels which, after having touched at England, from any motive whatsoever, shall enter the ports of France, shall be seized and confiscated, as well

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as their cargoes, without exception or distinction of commodities or merchandize.—II. The captains of vessels who shall enter the ports of France, shall, on the day of their arrival, proceed to the office of the imperial customs, and there make a declaration of the place from which they sailed, of the ports they have put into, and exhibit their manifests, bills of lading, sea-papers, and log-books.——When the captain shall have signed and delivered his declaration, and communicated his papers, the head officer of the customs shall interrogate the sailors separately, in the presence of two overseers. If it results from this examination that the vessel has touched at England, independent of the seizure and confiscation of the said ship and cargo, the captain, as well as those sailors, who, upon examinations shall have made a false declaration, shall be deemed prisoners, and shall not be set at liberty until after having paid the sum of 60,000 franks, as a personal penalty for the captain, and 500 franks for each of the sailors so arrested, over and above the pains incurred by those who falsify their papers and log-books.—III. If advice or information communicated to the directors of our customs give rise to any suspicions as to the origin of the cargoes, they shall be provisionally warehoused until it is ascertained and decided that they do not come from England or her colonies.——IV. Our commissaries for commercial relations, who deliver certificates of origin for merchandize laden in the ports of their residence destined for that of France, shall not confine themselves to an attestation that the merchandize or commodities do not come from England or her colonies or commerce; they shall indicate the place of origin, the documents which have been laid before them in support of the declaration which has been made to them, and the name of the ship on board of which they have been primarily transported from the place of origin into that of their residence.

Decree against English Commerce, dated at Milan, Dec. 17, 1807, *and signed by the Emperor Napoleon. Together with a Supplement by the French Minister of Marine.*

Napoleon, Emperor of the French, King of Italy, and Protector of the Rhinish Confederation:—Observing the measures adopted by the British government, on the 11th of November last, by which vessels belonging to neutral, friendly, or even powers the allies of England, are made liable, not only to be searched by English cruizers, but to be compulsorily detained in England, and to have a tax laid on them of so much per cent. on the cargo, to be regulated by the British legislature.—Observing that by these acts the British government denationalizes ships of every nation in Europe, that it is not competent for any government to detract from its own independence and rights, all the sovereigns of Europe having in trust the sovereignties and independance of the flag; that if, by an unpardonable weakness, and which, in the eyes of posterity, would be an indelible stain, such a tyranny was allowed to be established into principles, and consecrated by usage, the English would avail themselves of it to assert it as a right, as they have availed themselves of the tolerance of governments to establish the infamous principle, that the flag of a nation does not cover goods, and to give to their right of

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which infringes on the sovereignty of every state; we have decreed and do decree as follows:—Art. I. Every ship, to whatever nation it may belong, that shall have submitted to be searched by an English ship, or to a voyage to England, or that shall have paid any tax whatsoever to the English government, is thereby, and for that alone, declared to be denationalized, to have forfeited the protection of its king, and to have become English property.—Art. II. Whether the ships thus denationalized by the arbitrary measures of the English government, enter into our ports, or those of our allies, or whether they fall into the hands of our ships of war, or of our privateers, they are declared to be good and lawful prizes.—Art. III. The British islands are declared to be in a state of blockade, both by land and sea. Every ship, of whatever nation, or whatsoever the nature of its cargo so may be, that sails from the ports of England, or those of the English colonies, and of the countries occupied by English troops, and proceeding to England, or to the English colonies, or to countries occupied by English troops, is good and lawful prize, as contrary to the present decree; and may be captured by our ships of war or our privateers, and adjudged to the captor.—Art IV. These measures, which are resorted to only in just retaliation of the barbarous system adopted by England, which assimilates its legislation to that of Algiers, shall cease to have any effect with respect to all nations who shall have the firmness to compel the English government to respect their flag. They shall continue to be rigorously in force as long as that government does not return to the principle of the law of nations, which regulates the relations of civilized states in a state of war. The provisions of the present decree shall be abrogated and null, in fact, as soon as the English abide again by the principles of the law of nations, which are also the principles of justice and of honour.——All our ministers are charged with the execution of the present decree, which shall be inserted in the Bulletin of the Laws.

No. 6.—*Proclamation of the President of the United States.*

During the wars which, for some time, have unhappily prevailed among the powers of Europe, the United States of America, firm in their principles of peace, have endeavoured, by justice, by a regular discharge of all their national and social duties, and by every friendly office their situation has admitted, to maintain, with all the belligerents, their accustomed relations of friendship, hospitality, and commercial intercourse. Taking no part in the questions which animate these powers against each other, not permitting themselves to entertain a wish but for the general restoration of peace, they have observed, with good faith, the neutrality they assumed, and they believe that no instance of a departure from its duties can be justly imputed to them by any nation. A free use of their harbours and waters, the means of refitting and refreshment, of succour to their sick and suffering, have, at all times, and on equal principles, been extended to all; and this too amidst a constant recurrence of acts of insubordination to the laws, of violence to the persons, and of trespasses on the property of our citizens, committed by officers of one of the belligerent parties received among us. In truth, these abuses of

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the laws of hospitality have, with few exceptions, become habitual to the commanders of the British armed vessels hovering on our coasts, and frequenting our harbours. They have been the subject of repeated representations to their government. Assurances have been given that proper orders should restrain them within the limit of the rights, and of the respect due to a friendly nation; but those orders and assurances have been without effect, and no instance of punishment for past wrongs has taken place. At length, a deed, transcending all we have hitherto seen, or suffered, brings the public sensibility to a serious crisis, and our forbearance to a necessary pause. A frigate of the United States, trusting to a state of peace, and leaving her harbour on a distant service, has been surprised and attacked by a British vessel of superior force, one of a squadron then lying in our waters, and covering the transaction, and has been disabled from service, with the loss of a number of men killed and wounded.

This enormity was not only without provocation or justifiable cause, but was committed with the avowed purpose of taking, by force, from a ship of war of the United States, a part of her crew; and, that no circumstance might be wanting to mark its character, it had been previously ascertained that the seamen demanded were natives of the United States. Having effected his purpose, he returned to anchor with his squadron within our jurisdiction. Hospitality, under such circumstances, ceases to be a duty; and a continuance of it, with such uncontroulled abuses, would tend only, by multiplying injuries and irritations, to bring on a rupture between the two nations. This extreme resort is equally opposed to the interests of both, as it is to assurances of the most friendly dispositions on the part of the British government, in the midst of which this outrage has been committed. In this light, the subject cannot but present itself to that government, and strengthen the motives to an honourable reparation of the wrong which has been done, and to that effectual controul of its naval commanders, which alone can justify the government of the United States in the exercise of those hospitalities it is now constrained to discontinue.

In consideration of these circumstances, and of the right of every nation to regulate its own police, to provide for its peace, and for the safety of its citizens, and consequently to refuse the admission of armed vessels into its harbours or waters, either in such numbers or of such description, as are inconsistent with these, or with the maintenance of the authority of the laws, I have thought proper, in pursuance of the authorities specially given by law, to issue this my proclamation, hereby requiring all armed vessels, bearing commissions under the government of Great Britain, now within the harbours or waters of the United States, immediately, and without any delay, to depart from the same, and interdicting the entrance of all the said harbours and waters to the said armed vessels, and to all others bearing commissions under the authority of the British government.

And if the said vessels, or any of them, shall fail to depart as aforesaid, or if they, or any others, so interdicted, shall hereafter enter the harbours or waters aforesaid, I do in that case forbid all intercourse with them, or any of them, their officers

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or crews, and do prohibit all supplies and aid from being furnished to them, or any of them.

And I do declare and make known, that if any person from, or within the jurisdictional limits of the United States, shall afford any aid to any such vessel, contrary to the prohibition contained in this proclamation, either in repairing any such vessel, or in furnishing her, her officers or crew, with supplies of any kind, or in any manner whatsoever, or if any pilot shall assist in navigating any of the said armed vessels, unless it be for the purpose of carrying them, in the first instance, beyond the limits and jurisdiction of the United States, or unless it be in the case of a vessel forced by distress, or charged with public dispatches, as hereinafter provided for, such person or persons shall, on conviction, suffer all the pains and penalties by the laws provided for in such offences.

And I do hereby enjoin and require all persons bearing office, civil or military, within or under the authority of the United States, and all others, citizens or inhabitants thereof, with vigilance and promptitude to exert their respective authorities, and to be aiding and assisting to the carrying this proclamation, and every part thereof, into full effect.

Provided, nevertheless, that if such vessels shall be forced into the harbours or waters of the United States by distress, by the dangers of the sea, or by the pursuit of an enemy, or shall enter them, charged with dispatches or business from their government, or shall be a public packet for the conveyance of letters and dispatches, the commanding officer, immediately reporting his vessel to the collector of the district, stating the object, or the causes of entering the said harbours or waters, and conforming himself to the regulations in that case prescribed under authority of the laws, shall be allowed the benefit of such regulations respecting repairs, supplies, stay, intercourse, and departure, as shall be permitted under the same authority.

In testimony whereof, I have caused the seal of the United States to be affixed to these presents, and signed the same.

Given at the city of Washington, the second day of July, in the year of our Lord one thousand eight hundred and seven, and of the sovereignty and independence of the United States the thirty-first.

(Sealed) THOMAS JEFFERSON.

By the President, JAMES MADDISON, Secretary of State.

No. 7.—*Report, made in the Congress, Nov. 17, 1807, touching the Affair of the Chesapeake Frigate.*

Mr Blount, from a Committee of the House of Representatives on a part of the President's message, reported this day on the subject of the attack on the Chesapeake. The report commences with an expression of sensibility at this outrage; states the receipt of information relative thereto from the state and navy departments; presents a general view of the circumstances, observing, that it might be said to have been incontestibly proved, that William Ware, John Strachan, and Dan. Martin, (three of the four persons taken out of the Chesapeake,) are citizens of the United States; but the committee add, that they conceive it unnecessary for them or the house to go into any inquiry on that part of the subject, as, in their opinion, whether the men taken from the Chesapeake were or were not citizens of the

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United States, and whether the Chesapeake was or was not within the acknowledged limits of the United States at the time they were taken, the character of the act of taking them remains the same.——From the foregoing facts, it appears to your committee, that the outrage committed on the frigate Chesapeake has been stamped with circumstances of indignity and insult, of which there is scarcely to be found a parallel in the history of civilized nations, and requires only the sanction of the government, under colour of whose authority it was perpetrated, to make it just cause of, if not an irresistible call for, instant and severe retaliation. Whether it will receive that sanction, or be disavowed and declared an unauthorised act of a subordinate officer, remains to be determined by the answer which shall be given to the demand of explanation: that answer, now daily expected, will either sink the detestable act into piracy, or expand it to the magnitude of premeditated hostility against the sovereignty and independence of this nation; and, until its true character shall be fixed and known, your committee deem it expedient to decline expressing any opinion as to the measures proper to be adopted in retaliation to it. But the committee add, as other acts of aggression have been committed within our ports and waters, such as these mentioned in the President's message, the committee are of opinion, that it is expedient to provide more effectually for the protection of our ports and harbours; but, not being prepared to report specifically on that subject, they ask further indulgence of the house; and submit the following resolution:—Resolved, That the attack of the British ship of war Leopard on the United States frigate Chesapeake, was a flagrant violation of the jurisdiction of the United States; and that the continuance of the British squadron (of which the Leopard was one) in their waters, after being notified by the proclamation of the President of the United States, ordering them to depart the same, was a further violation thereof.

No. 8.—*Non-importation Act, passed 18th April, 1806.—Together with a Supplementary Act, passed about 10th Dec. 1807.*

Be it enacted, by the senate and house of representatives of the United States of America, in congress assembled, that from and after the 15th of November next it shall not be lawful to import into the United States, or the territories thereof, from any port or place situated in Great Britain or Ireland, or in any of the colonies or dependencies of Great Britain, any goods, wares, or merchandize, of the following descriptions, that is to say: —All articles of which leather is the material of chief value.—All articles of which silk is the material of chief value.---All articles of which hemp or flax is the material of chief value. ---All articles of which tin or brass is the material of chief value, tin in sheets excepted.---Woollen cloths whose invoice prices shall exceed 5s. sterling per square yard.---Window glass, and all other manufactures of glass.---Silver and plated wares.---Paper of every description.---Nails and pikes.---Hats.---Cloathing ready made.---Millinery of all kinds, and pictures and prints.—Nor shall it be lawful to import into the United States, or the territories thereof, from any foreign port or place whatever, any of the above-mentioned goods, wares, or merchandize, being the growth, produce, or manufacture of Great Britain or Ireland, or any of the colo-

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nies or dependencies of Great Britain: provided, however, that no articles which shall within 14 months after the passing of this act be imported from any place beyond the Cape of Good Hope, on board any vessel cleared out before the passing of this act from any port within the United States or the territories thereof, for the said Cape of Good Hope, or any place beyond the same, shall be subject to the prohibition aforesaid.---Sec. 2. And be it further enacted, that whenever any article or articles, the importation of which is prohibited by this act, shall, after the said 15th of Nov. next, be imported into the United States, or the territories thereof, contrary to the true intent and meaning of this act, or shall, after the said 15th Nov. next, be put on board any ship or vessel, boat, raft, or carriage, with intention of importing the same into the United States, or the territories thereof, all such articles, as well as all other articles on board the same ship or vessel, boat, raft, or carriage, belonging to the owner of such prohibited articles, shall be forfeited, and the owner thereof shall moreover forfeit and pay treble the value of such articles.---Sec. 3. And be it further enacted, that if any article or articles, the importation of which is prohibited by this act, shall, after the said 15th of Nov. next, be put on board any ship or vessel, boat, raft, or carriage, with intention to import the same into the United States, or the territories thereof, contrary to the true intent and meaning of this act, and with the knowledge of the owner or master of such ship or vessel, boat, raft, or carriage, shall be forfeited, and the owner or master thereof shall moreover each forfeit and pay treble the value of such articles. —Sec. 4. And be it further enacted that if any article or articles, the importation of which is prohibited by this act, and which shall nevertheless be on board any ship or vessel, boat, raft, or carriage, arriving after the said 15th of Nov. next, in the United States, or the territories thereof, shall be omitted in the manifest, report, or entry of the master or the person having the charge or command of such ship or vessel, boat, raft, or carriage, or shall be omitted in the entry of the goods owned by the owner, or consigned to the consignee of such articles, or shall be imported or landed, or attempted to be imported or landed, without a permit, the same penalties, fines, and forfeitures shall be incurred, and may be recovered, as in the case of similar omission or omissions, landing importations, or attempting to land or import, in relation to articles liable to duties on their importation into the United States.---Sec. 5. And be it further enacted, that every collector, naval officer, surveyor, or other officer of the customs, shall have the like power and authority to seize goods, wares, and merchandize imported contrary to the intent and meaning of this act, to keep the same in custody until it shall have been ascertained whether the same have been forfeited or not, and to enter any ship or vessel, dwelling-house, store, building, or other place, for the purpose of searching for and siezing any such goods, wares, or merchandize, which he or they now have by law in relation to goods, wares, and merchandize subject to duty; and if any person or persons shall conceal or buy any goods, wares, and merchandize, knowing them to be liable to seizure by this act, such person or persons shall, on conviction thereof, forfeit and pay a sum double the amount of value of the goods

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wares, and merchandize, so concealed or purchased.---Sec. 6. And be it further enacted, that the following addition shall be inserted to the oath or affirmation taken by the masters or persons having the charge or command of any ship or vessel arriving at any port of the United States, or the territories thereof, after the said 15th of Nov. next, viz. " I further swear (or affirm) that there is not, to the best of my knowledge or belief, on board (insert the denomination and name of the vessel) any goods, wares, and merchandize, the importation of which into the United States, or the territories thereof, is prohibited by law: And I do further swear (or affirm) that if I shall hereafter discover or know of any such goods, wares, and merchandize, on board the said vessel, or which shall have been imported in the same, I will immediately, and without delay, make due report thereof to the collector of the port of this district."---Sec. 7. And be it further enacted, that the following addition be inserted, after the said 15th of Nov. next, to the oath or affirmation taken by importers, consignees, or agents, at the time of entering goods imported into the United States, or the territories thereof, viz. " I also swear (or affirm) that there are not, to the best of my knowledge and belief, amongst the said goods, wares, and merchandize, imported or consigned as aforesaid, any goods, wares, or merchandize, the importation of which into the United States, or the territories thereof, is prohibited by law: And I do further swear (or affirm) that if I shall hereafter discover any such goods, wares, or merchandize, among the said goods, wares, and merchandize, I will immediately, and without delay, report the same to the collector of this district." ---Sec. 8. And be it further enacted, that all penalties and forfeitures arising under this act may be sued for and recovered, and shall be distributed and accounted for in the manner prescribed by the act, entitled, " An Act to regulate the Collection of Duties on Imports and Tonnage :" and such penalties and forfeitures may be examined, mitigated, or remitted, in like manner, and under the like conditions, regulations, and restrictions, as are prescribed, authorised, and directed by the act, entitled, " An Act to provide for mitigating or remitting the Forfeitures, Penalties, and Disabilities, accruing in certain Cases therein mentioned."

Supplementary Act.

Sec. 1. Be it enacted, by the senate and house of representatives of the United States of America, in congress assembled, that nothing in the act to which this is a supplement shall be so construed as to prohibit the importation of the following articles, that is to say :---Wrappers and outside packages, in which goods, the importation of which is not prohibited, usually are and shall be wrapped or packed at the time of their importation.---2. Bags or sacks in which salt shall be imported.---3. Glass bottles or phials, in which drugs, medicines, or any other articles, the importation of which is not prohibited, shall be imported.---4. Printed books, maps, and charts.---5. Watches, mathematical, astronomical, and surgical instruments.---6. Shalloons and woollen stuffs.---Sec. 2. And be it further enacted, that the articles of the following description shall be held and considered as being embraced by the description of articles, the importation of which is prohibited by the act to which this act is a supplement, that is to say :---All articles manufactured entirely of silk

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and wool, or of silk and flax, or of flax or wool;—Floor cloths;—Woollen cassimeres, carpets, carpeting and mats, whose invoice prices shall exceed five shillings sterling per square yard.—Sec. 3. And be it further enacted, that whenever a doubt shall arise whether any articles imported into the United States is embraced by the description of articles the importation of which is prohibited by the act to which this act is a supplement, the comptroller's decision thereon, approved by the secretary of the treasury, shall be final and conclusive, and be taken and held in every respect as the true construction of the act.—Sec. 4. And be it further enacted, that no articles which shall be imported from any place beyond the Cape of Good Hope, on board any vessel cleared out before the day of from any port within the United States, or the territories thereof, for the said Cape of Good Hope, or any place beyond the same, shall be subject to the prohibition enacted by the act to which this act is a supplement.

No. 9.—*Act of Congress, laying the Embargo, passed Dec. 22, 1807.*

Act.—Be it enacted, by the senate and house of representatives of the United States of America, in congress assembled, that an embargo be, and hereby is laid on all ships and vessels in the ports and places within the limits or jurisdiction of the United States, cleared or not cleared, bound to any foreign port or place: and that no clearance be furnished to any ship or vessel bound to such foreign port or place, except vessels under the immediate direction of the President of the United States; and that the President be authorised to give such instructions to the officers of the revenue, and of the navy and revenue cutters of the United States, as shall appear best adapted for carrying the same into full effect. Provided, that nothing herein contained shall be considered to prevent the departure of any foreign ship or vessel, either in ballast, or with the goods, wares, and merchandize, on board of such foreign ship or vessel, when notified of this act.—Sect. 2. And be it further enacted, That during the continuance of this act, no registered or sea-letter vessel, having on board goods, wares, and merchandize, shall be allowed to depart from one port of the United States to the other, within the same, unless the master, owner, consignee, or factor of such vessel, shall first give bond, with one or more sureties, to the collector of the district from which she is bound to depart, in a sum of double the value of the vessel and cargo, that the said goods, wares, and merchandize, shall be relanded in some port of the United States, dangers of the seas excepted; which bond, and also a certificate from the collector where the same may be relanded, shall, by the collectors respectively, be transmitted to the secretary of the treasury. All armed vessels possessing public commissions from any foreign powers, are not to be considered as liable to the embargo laid by this act.

No. 10.—Prussia—*Declaration against England, dated at Munich, Dec. 1, 1807.*

The king being obliged, by the 27th article of the treaty of peace of Tilsit, concluded on the 9th of July, 1807, to shut, without exception, the Prussian ports and states against the trade and navigation of England, as long as the present war lasted between England and France, his ma-

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jesty has not hesitated to take progressively the most appropriate measures to fulfil his engagements.—In directing these measures, his majesty did not dissemble the prejudice and loss which would result to the commerce of his dominions in general, and that of his subjects, who, by a long series of misfortunes, have acquired new rights to his paternal solicitude and benevolence; but his majesty yielded to the consolatory hope, that the mediation offered by Russia to England, by accelerating the return of a definitive peace between Great Britain and France, would soon bring about an order of things more congenial to the particular interests of each power.—The king has been deceived in his just expectation: the events that have taken place since, and which are too well known to render it necessary to recapitulate them, far from bringing the so much desired period of general peace nearer, have only placed it at a greater distance.—All communication is broken off between Russia and England. The declaration of his majesty the Emperor of all the Russias, published on the 26th Oct. proves that there is no longer any relation between those two powers. His Prussian Majesty, intimately connected by all his relations with the cause and system of the continental neighbouring and friendly powers, has no other rules of conduct than his duties, founded upon the interests of his states, and the obligation contracted by a solemn treaty. —Conformably to these principles, his majesty, setting aside those considerations which he had hitherto respected, in the vain hope for a speedy general pacification; and having refused, since the mission of Lord Hutchinson, to receive at his court any English diplomatic agent, has just ordered his legation at London to quit England as soon as possible, and return to the continent.—His majesty the King of Prussia, in making known the resolutions which his engagements and the interest of his monarchy impose upon him as a duty, declares, by these presents, that, till the restoration of a definitive peace between the two belligerent powers, there shall be no relation between Prussia and England.

FREDERICK WILLIAM.

No. 11.—SPAIN.—*Decree against England, dated Jan. 3, 1808.*

The abominable attack committed by English ships of war in 1804, by the express order of that government, when four frigates of the royal fleet, which, sailing under the full assurance of peace, were unjustly surprised, attacked, and compelled to surrender, determined me to break all connection with the British cabinet, and to consider myself as at war with a nation which had so iniquitously violated the law of nations and of humanity.—So atrocious an aggression was a sufficient motive for breaking all the bonds which unite one nation with another; even had I not considered what I owe to myself, to the honour and glory of my crown, and to my beloved subjects. Two years of war have elapsed, and Great Britain has not moderated her pride, nor renounced the unjust domination which she exercises over the seas; but, on the contrary, confounding at once friends, enemies, and neutrals, she has manifested the formal intention of treating them all with the same tyranny. From these considerations, I determined, in February last year, in conformity to the wise measures adopted by my intimate ally, the emperor of the French and king of Italy, to declare,

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as I have declared, the British isles in a state of blockade, in order to see if that measure would reduce the British cabinet to abdicate its unjust supremacy over the seas, and to conclude a solid and durable peace.—Far from that, the English government has not only rejected the propositions which were made on the part of my intimate ally the emperor of the French and king of Italy, whether directly or by the mediation of different powers friendly to England, but also having committed the most enormous of atrocities and injuries, by its scandalous attack on the city and harbour of Copenhagen, it has thrown off the mask; and no person can any longer doubt that its insatiable ambition aspires to the exclusive commerce and navigation of the seas. Nothing can prove this more evidently than the measures which that government has just adopted by its orders of the 14th of November last; by which it not only declares the coast of France, Spain, and their allies, and all those occupied by the armies of either power, in a state of blockade, but has even subjected the ships of neutral powers, the friends, and even the allies of England, to the visits of English cruizers, and to be forcibly carried into an English port, where they are to be obliged to pay a tax on their cargoes, the quantity of which is to be determined by the English legislature. Authorised by a just right of reprisal to take the measures which shall appear to me proper to prevent the abuse which the British cabinet makes of its power, with respect to neutral flags, and to see if we cannot force it to renounce so unjust a tyranny, I have resolved to adopt, and do hereby require there shall be adopted, in all my states, the same measures which have been taken by my intimate ally, the emperor of the French and king of Italy, and which are of the following tenor.—[Here follows a literal copy of the decree of the 26th December, issued on this subject by his majesty the emperor and king.]

No. 12.—*Convention between his Majesty and the King of Sweden, signed at Stockholm on the 18th of February*, 1808.

The consequences of the Treaty of Tilsit between Russia and France unfolding themselves more and more, in such a manner as to threaten Sweden with a speedy invasion, for the purpose of forcing her to accede to the French system; and his Swedish majesty finding himself therefore under the necessity of bringing forward, to resist its effects, a greater force than he has at his ordinary disposal, his Britannic majesty, animated with the constant desire of contributing to the defence and security of his ally, and of supporting him by every means in a war undertaken for the mutual interests of both states, has determined to give to his Swedish majesty an immediate aid in money, as being the most prompt and efficacious, to be paid from time to time at fixed periods; and their majesties having judged it expedient, that a formal Convention with regard to their reciprocal intentions in this respect, should be concluded, they have, for this purpose, named and authorised their respective plenipotentiaries; that is to say, in the name and on the part of his majesty the king of the united kingdom of Great Britain and Ireland, Edward Thornton, Esq. his envoy extraordinary and minister plenipotentiary to his majesty the king of Sweden; and in the name and on the part of his majesty the king of Sweden, the Baron d'Ehrenheim

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president of his chancery, and commander of his order of the polar star, who, after having communicated to each other their respective full powers, have agreed upon the following articles;—Art. 1. His majesty the king of the united kingdom of Great Britain and Ireland engages that there shall be paid to his majesty the king of Sweden, the sum of 1,200,000l. in equal instalments of 100,000l. sterling each per month, beginning with the month of January of the present year inclusively, and to continue successively in the course of each month, the first of which instalments shall be paid on the ratification of the present convention by his Swedish majesty.—2. His majesty the king of Sweden engages on his part to employ the said sum in putting into motion, and keeping on a respectable establishment, all his land forces, and such part as shall be necessary of his fleets, and particularly his flotilla, in order to oppose the most effectual resistance to the common enemies.—3. Their said majesties moreover engage to conclude no peace or truce, or convention of neutrality with the enemy, but in concert and by mutual agreement.—4. The present convention shall be ratified by the two high contracting parties, and its ratifications shall be exchanged at London within the space of six weeks after the signature of the said convention, or sooner if it can be done. In faith whereof, we the undersigned plenipotentiaries of their said majesties, have signed the present convention, and have caused the seal of our arms to be affixed thereto.

Done at Stockholm, the 8th of February, in the year of redemption, 1808.

EDW. THORNTON.
F. EHRENHEIM.

Separate Article.—The two high contracting parties have agreed to concert, as soon as possible, the measures to be taken, and the auxiliary succours to be stipulated for, in the case of a war actually taking place between Sweden and the powers her neighbours; and the stipulations which may thence result shall be considered as separate and additional articles to this convention, and shall have the same force as if they were word for word inserted therein. In faith of which, we the undersigned plenipotentiaries of their said majesties, have signed this separate article, and have caused the seal of our arms to be affixed thereto.

Done at Stockholm, the 8th of February, in the year of redemption, 1808.

EDW. THORNTON.
F. EHRENHEIM.

No. 13.—*Treaty of Alliance and Subsidy between his Majesty the King of the United Kingdom of Great Britain and Ireland, and his Majesty the King of the Two Sicilies, signed at Palermo, on the 30th of March,* 1808.

His majesty the king of the United Kingdom of Great Britain and Ireland, and his majesty the king of the Two Sicilies, being equally animated by a sincere desire of strengthening more and more the ties of friendship and good understanding which so happily subsist between them, have judged that nothing could contribute more efficaciously to that salutary end, than the conclusion of a treaty of alliance and subsidy. For this purpose their said majesties have named their respective plenipotentiaries, viz. his Britannic majesty, the right hon. William Drummond, one of his majesty's most hon. privy council, and his envoy extraordinary and minister ple-

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nipotentiary at the court of his said Sicilian majesty:—and his majesty the king of the Two Sicilies, the right illustrious and right excellent Thomas de Somma, marquis of Circello, his gentleman of the chamber, field-marshal of his armies, knight of his royal order of St Januarius, his counsellor of state, secretary of state for the department of foreign affairs, and superintendant general of the ports; who, after having communicated their respective full powers, have agreed upon the following articles:—

Art. I. There shall be a continuance of the sincere and constant friendship between his Britannic majesty and his majesty the king of the Two Sicilies, their heirs and successors, which has always subsisted up to the present time.

II. The two high contracting parties shall afford to each other, during the present war with France, every succour and assistance, in proportion to their respective forces, and shall prevent, by common consent, every thing that can cause them trouble or detriment.

III. His majesty the king of the Two Sicilies engages to grant to the troops of his Britannic majesty, stationed in the fortresses of Sicily, and to all British ships of war, an exemption from all duties belonging to him, upon every thing of which the British squadron in the Mediterranean, and the troops in that nation may stand in need, and which the country can furnish, in provisions, food, and in military and naval stores.

IV. His Sicilian majesty being desirous of giving an additional proof of the sentiments by which he is animated, also engages to exempt from all duties belonging to him upon such provisions as may be requisite for the British ships of war at Malta, as well as all military stores which are to be found in the country, on condition however, that each vessel or vessels of war be furnished with a requisition from the governor of the said island, which shall specify the articles, and the quantity required.

V. His Sicilian majesty further engages, in virtue of the present treaty, never to allow the enemies of Great Britain to bring into any of his ports, during the present war, any British ships taken by the enemies of Great Britain.

VI. His Sicilian majesty also engages to open the ports of the Two Sicilies during the present war, to British squadrons, as well as to all merchant and other ships belonging to British subjects, without any restriction whatever, referring to the third article, with respect to exemption from duties.

VII. His Britannic majesty engages in return, to defend, during the present war, the fortresses of Messina and Augusta, and to maintain there for that purpose, at his charge and expence, a body of troops which, in the present war, shall consist of ten thousand men, and to augment their number if the case shall require it. The disposition of which troops in the said fortresses, shall be in such manner and proportion as the commanding officer (to whom every requisite facility shall be given,) shall judge expedient: and his Britannic majesty stipulates, that the said general officers shall have the power of exercising martial law in the above garrisons, with respect to their British troops, in the same manner, and according to the same rules, as are observed in other English garrisons.—Quarters for the said troops

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shall be provided in the above-mentioned fortresses by his Sicilian majesty.

VIII. His Britannic majesty farther engages to pay to his Sicilian majesty, during the continuance of the present war, an annual subsidy of 300,000*l.* sterling, (to commence from the 10th of September, 1805, when the British and Russian troops landed in the Neapolitan territory,) payable at the rate of 25,000*l.* sterling per month; which payment shall always be made one month in advance, computing from the date of the signature of the present treaty. His Sicilian majesty purposing to employ the said subsidies for the use of his marine, and of his land forces, shall regulate the distribution of them in such proportion as these two services may require, for the defence of his states, and for operations against the common enemy, and an account shall be given every three months to the British government, of the manner in which his Sicilian majesty shall have employed the subsidies paid to him by Great Britain.

IX. The two high contracting parties desiring to strengthen more and more the ties which unite the two nations, and to extend their mutual relations, will employ themselves, as soon as possible, in concluding a treaty of commerce, the articles of which shall be equally advantageous to the subjects of both states.

X. His Sicilian majesty engages not to conclude with France a peace separate from England; and his Britannic majesty, on his part, also engages not to make a peace with France without comprehending and saving in it the interests of his Sicilian majesty.

XI. The present treaty of alliance and subsidy shall be ratified by the two high contracting parties, and the ratification shall be exchanged in due form in London, within the space of four months from the date of its signature, or sooner if possible. In witness whereof, we, the undersigned, furnished with full powers from our respective sovereigns, have signed the present treaty, and have thereunto affixed the seal of our arms.

Done at Palermo, this 30th day of March, 1808.

W. Drummond.
Thomas de Somma.

No. 14.—Spanish Decree.—*Copy of a Decree issued from the Palace of San Lorenzo, October 30.*

" C. R.—God, who watches over his creatures, does not permit the consummation of atrocious deeds, when the intended victims are innocent. Thus his omnipotence has saved me from the most unheard-of catastrophe. My people, my subjects, all know my Christianity and settled habits. They all love me; and I receive from all of them proofs of their veneration—such as the conduct of a parent calls for from his children. I lived persuaded of this felicity, and devoted to the repose of my family, when an unknown hand discovered the most atrocious and unheard-of conspiracy, which was carriéd on in my own palace, against my person. My life, which has so often been in danger, was too long in the eyes of my successor, who, infatuated by prejudice, and alienated from every principle of Christianity that my parental care and love had taught him, had entered into a project to dethrone me. Informed of this, I thought proper to inquire, person-

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ally, into the truth of the fact, and, surprising him in my room, I found in his possession, the cypher of his correspondence, and of the instructions he had received from the vile conspirators. In consequence of this discovery, I immediately convoked the governor and council, in order that they might make the necessary inquiries; the result has been the detection of several malefactors, whose imprisonment I have ordered; as also the arrest of my son, at his residence. This is an additional aggravation of the affliction I labour under; but, however painful to my feelings, it must be submitted to, as it is of the utmost importance to the suppression of such a conspiracy. At the same time that I direct the publication of this affair to my subjects, I cannot avoid expressing to them the regret by which I am agitated; but that regret will be alleviated by the demonstrations of their loyalty. You will take the proper measures to have this decree circulated in due form.

"CHARLES R."

"By command of his majesty, I transmit this decree to your excellency, in order that it may be duly promulgated.

"Signed by the ministers, and addressed to all viceroys, &c."

Madrid, Nov. 5.—This day the king addressed the following decree to the governor *ad interim* of the council of Castile:

"The voice of nature unnerves the arm of vengeance; and when the offender's want of consideration pleads for pity, a father cannot refuse listening to his voice. My son has already declared the authors of that horrible plan which had been suggested by the evil-minded. He has laid open every thing in a legal form, and all is exactly consistent with those proofs that are required by the law in such cases. His confusion and repentance have dictated the remonstrances which he has addressed to me, and of which the following is the chief:

"Sire and Father,—I am guilty of failing in my duty to your majesty; I have failed in obedience to my father and king. I ought to do nothing without your majesty's consent; but I have been surprised. I have denounced the guilty, and beg your majesty to suffer your repentant son to kiss your feet. FERDINAND.

"*St Laurent, Nov. 5.*"

"Madam and Mother,—I sincerely repent of the great fault which I have committed against the king and queen, my father and mother!—With the greatest submission I beg your pardon, as well as for my obstinacy in denying the truth the other night. For this cause, I heartily entreat your majesty to deign to interpose your mediation between my father and me, that he may condescend to suffer his repentant son to kiss his feet. FERDINAND.

"*St Laurent, Nov. 5.*"

"In consequence of these letters, and the entreaty of the queen, my well-beloved spouse, I forgive my son; and he shall recover my favour, as soon as his conduct shall give proofs of a real amendment in his proceedings. I ordain also, that the same judges who have heard this cause from the commencement, shall continue the process; and I allow them to conjoin others, as colleagues, if they shall find occasion. I enjoin them, as soon as it shall be finished, to submit to me their judgment, which shall be conformable to law, according to the magnitude of offences, and the quality of offenders. They ought to take for a basis, in reducing the heads of the accusation,

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the answers given by the prince to the interrogatories which he has undergone; they are copied and signed by his own hand, as well as the papers also in his writing, which were seized in his bureaus. The decision shall be communicated to my councils and to my tribunals, and be circulated among my subjects, in order that they may acknowledge my compassion and my justice, and may alleviate the affliction into which they were thrown by my first decree; for in that they saw the danger of their sovereign and their father, who loves them as his own children, and by whom he is beloved.

(Signed) "D. B. Munoz."

By the royal decree of the 30th of October, inserted in the circular letter, which is addressed to you the 31st of the same month, his majesty has deigned to make known to his council, that his august person, thanks to the assistance of God, has been delivered from the catastrophe which threatened it.

On this subject the council has proposed to his majesty to allow it, as well as all the people and communities of the kingdom, to return thanks for this favour to the Omnipotent, by a solemn festival. His majesty having deigned to consent to the wish of his council, has resolved to give it immediate execution, and has determined to give the necessary orders for such a festival in the capital and its dependencies.

This order of council, with a view to its due execution, is hereby communicated to you M. M. the archbishops, bishops, prelates, seculars, and regulars of the holy churches, desiring you to acknowledge to me the receipt of the present decree.

(Signed) D. B. Munoz.

Madrid, Nov. 7, 1808.

No. 15.—*Secret Treaty between his Catholic Majesty and his Majesty the Emperor of the French, by which the high contracting parties stipulate every thing respecting the future condition of Portugal.—Fontainbleau, October* 27, 1808.

We, Napoleon, by the grace of God and the constitution, emperor of the French, king of Italy, and protector of the confederation of the Rhine, having seen and examined the treaty concluded, arranged, and signed at Fontainbleau, Oct. 27, 1808, by general of division Michael Duroc, grand marshal of our palace, grand knight of the legion of honour, &c. in virtue of the full powers conferred by us upon him for this purpose, with Don Eugenio Izquierdo de Ribera y Lezaun, honorary councillor of state and of war to his majesty the king of Spain, who was also furnished with full powers by his sovereign, which treaty is of the following tenor:—

His majesty, the emperor of the French, king of Italy, and protector of the confederation of the Rhine, and his catholic majesty the king of Spain, wishing to regulate by common consent the interest of the two states, and to determine the future condition of Portugal, in a way that shall be consistent with sound policy as to both countries, have named for their ministers plenipotentiary; that is to say, his majesty the emperor of the French, king of Italy, and protector of the confederation of the Rhine, general of division Michael Duroc, grand marshal of the palace, grand knight of the legion of honour: and his catholic majesty, the king of Spain, Don Eugenio Izquierdo de Ribera y Lezaun, his honorary coun-

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cillor of state and of war, both which ministers have exchanged their full powers, have agreed as follows:

Art. I. The province of Entre Mino y Duero, with the city of Oporto, shall be made over, in entire property and sovereignty, to his majesty the king of Etruria, with the title of king of northern Lusitania.

II. The province of Alantejo, and the kingdom of the Algarves, shall be made over, in entire property and sovereignty, to the Prince of Peace, to be by him enjoyed under the title of prince of the Algarves.

III. The provinces of Beira, Tras los Montes, and Portuguese Estremadura, shall remain undisposed of until there be a general peace, to be then disposed of according to circumstances, and conformably with what may be agreed upon between the two high contracting parties.

IV. The kingdom of northern Lusitania shall be held by the descendants of his majesty the king of Etruria hereditarily, and according to the laws of succession which are established in the family on the throne of Spain.

V. The principality of the Algarves shall be held by the descendants of the Prince of Peace hereditarily, and according to the laws of succession which are established in the family on the throne of Spain.

VI. If there should be no descendants or legitimate heirs of the king of northern Lusitania, or of the prince of the Algarves, these countries shall be disposed of by investiture by the king of Spain in a manner so that they shall never be united under one head, or annexed to the crown of Spain.

VII. The kingdom of northern Lusitania and the principality of the Algarves shall acknowledge as protector his catholic majesty the king of Spain, and in no case the sovereigns of those countries shall make peace or war without his consent.

VIII. In case that the princes of Beira, Tras los Montes, and Portuguese Estremadura, held in sequestration, should devolve at a general peace to the house of Braganza, in exchange for Gibraltar, Trinidad, and other colonies, which the English have conquered from Spain and her allies, the new sovereign of these provinces shall have, with respect to his catholic majesty the king of Spain, the same obligations as the king of northern Lusitania, and the prince of Algarves, and shall hold them under the same conditions.

IX. His majesty the king of Etruria cedes the kingdom of Etruria, in full property and sovereignty, to his majesty the emperor of the French and king of Italy.

X. As soon as the provinces of Portugal shall be definitively occupied, the different princes who are to possess them shall mutually appoint commissioners to ascertain their natural boundaries.

XI. His majesty the emperor of the French and king of Italy guarantees to his catholic majesty, the king of Spain, the possession of his dominions on the continent of Europe, situated to the south of the Pyrenees.

XII. His majesty the emperor of the French and king of Italy engages to recognize his catholic majesty, the king of Spain, emperor of the *Two Americas*, when every thing is ready for his majesty's assuming that title, which may be either at the general peace, or at farthest within three years therefrom.

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XIII. The two high contracting powers shall mutually agree upon an equal partition of the islands, colonies, and other transmarine possessions of Portugal.

XIV. The present treaty shall be kept secret. It shall be ratified, and the ratification shall be exchanged at Madrid, within twenty days at the latest, from the date of its signature.

Done at Fontainbleau, October 27, 1808.

(Signed) DUROC.
E. IZQUIERDO.

We have approved, and do hereby approve, of the preceding treaty, and all and every of the articles therein contained. We declare it to be accepted, ratified, and confirmed; and promise that it shall be inviolably observed.

In witness whereof, we have executed these presents, signed with our hand and sealed with our imperial seal, at Fontainbleau, the 29th day of October, 1808.

(Signed) NAPOLEON.
CHAMPAGNY,
The minister for foreign affairs.
MARET,
The Secretary of State.

Secret Convention concluded at Fontainbleau between his Majesty the King of Spain, and his Majesty the Emperor of the French, by which the two high contracting parties adjust all that relates to the occupation of Portugal.—At Fontainbleau, 27th October, 1808.

NO II.

Napoleon, by the grace of God, and the constitution, emperor of the French, king of Italy, and protector of the confederation of the Rhine, having seen and examined the convention concluded, arranged, and signed, at Fontainbleau, on the 27th of October 1808, by the general of division Michael Duroc, grand marshal of our palace, grand cordon of the legion of honour, &c. in virtue of the full powers with which we thereto conferred upon him, on the one side; and, on the other side, by D. Eugenio Izquierdo de Ribera y Lezaun, honorary councillor of state and of war to his majesty the king of Spain, equally furnished with full powers by his sovereign—the tenor of which convention is as follows:

His majesty the emperor of the French, king of Italy, and protector of the confederation of the Rhine, and his catholic majesty the king of Spain, being desirous of entering into an arrangement with respect to the occupation and conquest of Portugal, according to the stipulations of the treaty signed this day, have appointed, viz. His majesty the emperor of the French, king of Italy, and protector of the confederation of the Rhine, the general of division Michael Duroc, grand marshal of his palace, grand cordon of the legion of honour, and his catholic majesty the king of Spain, Don Eugenio Izquierdo de Ribera y Lezaun, his honorary councillor of state and of war, who, after exchanging their full powers, have agreed upon the following articles.—

I. A body of French imperial troops, consisting of 25,000 infantry and 300 cavalry, shall enter Spain, and march direct for Lisbon: they shall be joined by a body of 8000 Spanish infantry and 3000 cavalry, with 30 pieces of artillery.

At the same time a division of Spanish troops, consisting of 10,000 men, shall take possession of the province of Entre Minho Douria

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and of the city of Oporto; and another division of 6000 men, also consisting of Spanish troops, shall take possession of Alentejo, and the kingdom of Algarves.

III. The French troops shall be subsisted and maintained by Spain, and their pay shall be provided by France during the time occupied by their march through Spain.

IV. The moment that the combined troops have entered Portugal, the government and administration of the provinces of Beira, Tras los Montes, and Portuguese Estremadura, (which are to remain in a state of sequestration,) shall be vested in the general commanding the French troops; and the contributions imposed thereon shall accrue to the benefit of France. The provinces that are to form the kingdom of northern Lusitania, and the principality of the Algarves, shall be administered and governed by the generals commanding the Spanish divisions which shall enter the same; and the contributions imposed thereon shall accrue to the benefit of Spain.

V. The central body shall be under the orders of the commander of the French troops, to whom also the Spanish troops attached to that army shall pay obedience. Nevertheless, should the King of Spain or the Prince of Peace think fit to join the said body, the French troops, with the general commanding them, shall be subject to their order.

VI. Another body of 40,000 French troops shall be assembled at Bayonne by the 20th of November next, at the latest, to be ready to enter Spain for the purpose of proceeding to Portugal, in case the English should send reinforcements therein, or menace it with attack.—This additional corps, however, shall not enter Spain until the two high contracting parties have come to an agreement on that point.

VII. The present convention shall be ratified, and the ratifications exchanged at the same time with those of the treaty of this date.

Done at Fontainbleau, 27th October, 1807.

(Signed) DUROC.
E. IZQUIERDO.

We have approved, and hereby approve, the foregoing convention, in all and every of the articles therein contained, declare it to be accepted, ratified, and confirmed, and pledge ourselves that it shall be inviolably observed.

In witness whereof, we have executed these presents, signed with our own hand, countersigned, and sealed with our imperial seal, at Fontainbleau, the 29th of October, 1807.

(Signed) NAPOLEON.
CHAMPAGNY,
The minister of foreign affairs.
MARET,
The Secretary of State.

No. 16.—*Act of Abdication of Charles IV. in favour of his son.*

"My habitual infirmities not permitting me to support any longer the important weight of the government of my kingom; and having need, in order to re-establish my health, to enjoy private life in a more temperate climate, I have decided, after the most minute deliberation, to abdicate my crown in favour of my heir, my most beloved son, the Prince of Asturias.

"Consequently, it is my royal will, that he be forthwith acknowledged and obeyed as king, and natural lord

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of all my kingdoms and sovereignties; and that this royal decree of my free and spontaneous abdication, may be exactly and directly fulfilled, you will communicate it to the council, and to all others whom it may appertain.

(Signed) "I, THE KING."

"Given at Aranjuez, 19th March, 1808."

No. 17.—The Madrid Gazette of the 31st March, contains the following passage:—

As the nature of the proceedings which took place in the Escurial is only known by an account which was published the 27th October last year, the king our sovereign being desirous that all his subjects should know how his royal person, as well as several persons employed by government, acted on that occasion, has ordered a brief account to be published of this business, which is much better understood after the discoveries which have been made among the papers of the Prince of Peace, which contain amongst others the following particulars: the 28th of October last, the late king sent several papers to the Marquis de Caballero, secretary of the general department of justice, which papers, he said, had been found among the papers of the Prince of Asturias, our present king and sovereign. The papers consisted, first, of a few sheets stuck together, written in his majesty's own hand-writing; 2dly, of a similar paper, also written by his majesty; 3dly, of a letter, dated Talavera, the 28th of May, written in a disguised hand, and without a signature; in the 4th place, of a paper, containing different figures, designed to form a system of cyphers, with one written leaf without a signature. The first paper is a memoir, the object of which is, with the most profound respect, to represent to the late king, the unjust proceedings of Don Manuel Godoy, prince of peace. This memoir contained a variety of particulars concerning the proceedings, fortune, injustice, and despotism of that person. The Prince of Asturias threw himself at the feet of his royal father, requesting him, that in his presence an inquiry might be instituted by those of his majesty's subjects whom he thought most worthy of his confidence, or whom chance might present to him, into the truth of the facts stated in the memoir; and if convinced thereof, to dismiss the Prince of Peace from his royal presence, and banish him with his whole family: such a step, were it only considered as a measure of precaution, would diffuse joy throughout the whole kingdom.—This memoir contained several other observations, all tending to promote the welfare and prosperity of the nation. They are here passed over in silence, because what we have mentioned of the contents of the memoir is quite sufficient to form an opinion of its tendency and nature; but it must not be omitted that the Prince of Asturias concluded it by intreating his father, in case he should not approve of the object of his memorial, to have the goodness to keep it secret, in order to avert the dangers to which he, (his son,) would otherwise be exposed. The letter dated Talavera, is written by Don John Esquoquix, canon and prebendary of the church of Toledo, late instructor of his majesty. It is an answer to several questions proposed to him.

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The system of cyphers is a means frequently made use of for corresponding in secret matters of great importance. The single leaf, without signature, is written by one of the prince's servants, whom he had dismissed from his service, and has nothing to do with the present business.

The following day, (the 29th of October,) at midnight, the secretary general of the cabinet and the provisional president of the council, met by order of the late king in his apartments, who gave it as their opinion, that his present majesty should be examined concerning the contents of those papers. His present majesty was accordingly called into the apartments of his royal father, where he was arrested, and precluded from all intercourse with any person, except some new attendants appointed on the occasion. During the same night all his present majesty's servants were arrested.

On the 30th of October the late king sent an order to the Marquis de Caballero, signed the same day and published all over the kingdom, whereby our king and sovereign was declared a traitor, together with his servants. According to the deposition, upon oath, made by his present majesty, and four secretaries of the departments of justice and war, that order was entirely written in the hand-writing of Don Manuel Godoy, prince of peace, who at that time was in Madrid.

The original order could not be annexed to these proceedings, because, in such cases, the original is always returned to the king, and the copy dispatched and published.

The same day, the 30th of October, finding himself confined, and precluded from all communication, he deemed it right to make public what he had done for the benefit of his country; and in order to extricate himself from the state of oppression to which he was reduced, he declared the same day, the 30th of October, to the Marquis de Caballero, that with a view of promoting the prosperity of the Spanish empire, he wished to marry a French princess of the blood, and that the steps he had already taken for that purpose were perfectly his own, and without compulsion; and that whatever he had done had no other object than to open the eyes of his royal parents with regard to the implicit confidence which they placed in Don Manuel Godoy; that, fearful lest he should continue to make an improper use of his influence and power, his majesty has judged it necessary, for the welfare of the kingdom, to give the Duke of Infantado a power of attorney in his own, (the king's,) hand-writing, to assume the command of the troops in New Castile, in case of the decease of his royal father. At that time the Prince of Peace arrived at the palace of the Escurial, and having entered the apartments of his present majesty, he presented to him the copy of a letter by which his present majesty was made to ask pardon of his royal father. His majesty being desirous not to refuse this new pledge of his veneration for his royal parents, signed the letter which is annexed to the decree of the 5th of November.

His majesty being perfectly convinced that neither the Duke of Infantado nor Don John Esquoquix, the author of the letter dated Talavera, are guilty of any misconduct,

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deems himself obliged to declare their innocence, as well as that of his other servants; and for that purpose has ordered the present account to be given of the proceedings which took place in this matter.

No. 17.*—*Letter from King Carlos IV. to the Emperor Napoleon.*

SIR, MY BROTHER,

Your majesty will assuredly hear with pain of the events which have taken place at Aranjuez, and their consequences: you will not without sympathy see a king who has been compelled to resign his throne, throw himself into the arms of a great monarch, his ally, placing every thing in his protection who alone can fix his happiness, and that of his whole family, and his trusty and beloved subjects. Under the pressure of the moment, and amid the clashing of weapons and the cries of a rebellious guard, I found that I had to choose between my life and death, and that my death would be followed by that of the queen: I was compelled to abdicate the throne; but to-day peace is restored; and full of confidence in the generosity and genius of the great man, who has at all times declared himself my friend, I have taken my resolution to resign myself into his hands, and await what he shall resolve on my fate, that of the queen, and of the Prince de la Paz.

I address myself to your majesty, and protest against the events which took place at Aranjuez, and against my dethronement. I rely with confidence, and altogether, upon the cordiality and friendship of your majesty, praying that God may have you in his holy keeping.

Sir, my brother, your royal and imperial majesty's affectionate brother and friend,

CARLOS.

Aranjuez, March 25.

NO. II.

I protest and declare, that my decree of the 19th of March, in which I renounce my crown in favour of my son, is a deed to which I was compelled, in order to prevent greater calamity, and spare the blood of my beloved subjects. It is therefore to be considered as of no authority.

(Signed) I, THE KING.

No. 18.—*Letter from Ferdinand to his Father, Charles IV.*

Venerable father and lord,—I deposited in the royal hands of your majesty, on the 1st current, the renunciation of the crown in your favour. I have believed it to be obligatory upon me to modify the renunciation by such conditions as were agreeable to the respect due to your majesty, to the tranquillity of my dominions, and to the preservation of my honour and character. It is not without great astonishment, that I have seen indignation produced in the royal mind of your majesty, by modifications dictated by prudence, and called for by the love that I bear to my subjects.

Without any other ground, your majesty thought proper to insult me in the presence of my venerable mother, and of the emperor, by appellations the most humiliating; and not content with this, you require my renunciation without any conditions or restrictions, under pain that I, and those who composed my council, should be treated as conspirators.

* The reference to this has been accidentally omitted in the body of the work.

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In such a situation of things, I make the renunciation which your majesty commands, that you may return to those sentiments with which your majesty has hitherto been pleased to regard me, and to the exercise of the power of the crown, unfettered by any stipulations on the part of, Venerable Father and Lord, &c.

FERDINAND.

No. 18. *—*To the Supreme Junta of the Government.*

Having judged it expedient to give the same direction to all the forces of our kingdom, in order to maintain security of property, and public tranquillity against enemies, as well exterior as interior, we have thought it fit to nominate our cousin, the Grand Duke of Berg, lieutenant-general of the kingdom, who, at the same time, commands the troops of our ally, the emperor of the French. We command the council of Castile, and the captains-general and governors of our provinces, to obey his orders. In the same quality he shall preside over the junta of the government.

Given at Bayonne, at the Imperial Palace, stiled the Palace of the Government, May 4, 1808.

(Signed) I, THE KING.

NO. 19.—PROCLAMATION.

Spaniards!—My beloved subjects, perfidious men seek to mislead you. They would put arms into your hands against the French troops; they seek alike to arm you against the French, and the French against you. The sacking of all Spain, calamities of every kind, would be the result. The spirit of faction, the sad effects of which I have already felt, is still in motion. In the midst of these important and critical circumstances, I am occupied in concerting with my ally, the emperor of the French, all that concerns your welfare. Beware of listening to the enemies of it. All those who speak to you against France, thirst for your blood; they are either the enemies of your nation, or agents of England, who are busily availing themselves of circumstances, and whose intrigues would involve the loss of your colonies, the separation of your provinces, or a series of years of trouble and calamity for your country.

Spaniards! trust to my experience, and obey that authority which I hold from God and my fathers; follow my example, and think that, in the position in which you stand, there is no prosperity and safety for Spaniards, but in the friendship of the great emperor our ally.

Given at Bayonne, from the Imperial Palace, stiled Palace of the Government, May 4.

I, THE KING.

No. 20.—*To the Supreme Council of Castile, the Council of Inquisition, &c.*

In the present extraordinary circumstances, we have resolved to give a new proof of our affection towards our beloved subjects, whose happiness, during the whole course of our reign, has been the constant object of our solicitude. We have therefore abdicated all our claims upon the Spanish kingdoms in favour of our friend and ally the emperor of the French, by a treaty which has been signed and ratified, and which stipulates for the integrity and independence of the Spanish kingdoms,

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and the preservation of our holy religion, not only as the predominant, but as the sole and exclusive religion in Spain.

We have therefore thought proper to send you this letter, that you should conform yourselves thereto, publish its contents, and make every exertion in support of the emperor Napoleon. Display the utmost frankness and friendship towards the French, and, above all, direct all your care to preserve the country from insurrections and tumults.

In the new condition upon which we are entering, we shall frequently turn our eyes towards you, and happy shall we be to know that you enjoy peace and contentment.

Given at the Imperial Palace, May 4.

I, THE KING.

No. 21.—*Resignation of the Crown of Spain by King Charles IV. and the Prince of Asturias.*

Napoleon, emperor of the French, king of Italy, and protector of the confederation of the Rhine, and Charles IV., king of Spain and the Indies, animated equally by a desire to put an end to the anarchy to which Spain is a prey, and to save that brave nation from the agitation of faction, and the convulsions of civil and foreign war, and place it in the sole position which, in the extraordinary circumstances in which it is now found, can maintain its integrity, guarantee its colonies, and enable it to unite all its means to those of France to obtain a maritime peace; have resolved to combine all their efforts, and to regulate by a particular convention interests so dear to them: to this effect they have appointed,—

His majesty the emperor of the French, king of Italy, and protector of the confederation of the Rhine, the general of division Duroc, grand marshal of the palace;

His majesty the king of Spain and the Indies, his serene highness Manual Godoy, prince of the Peace, count of Evora Mont, who, after having exchanged their full powers, have agreed as follows:—

Art. I. His majesty King Charles having, during his whole life, only had in view the happiness of his subjects, and constantly adhering to the principle, that all the acts of the sovereign ought solely to attend to that object; as the present circumstances can only be a source of dissensions the more fatal, because factions have divided his own family, has resolved to cede, and does cede, by these presents, to his majesty the emperor Napoleon, all his rights to the throne of Spain and the Indies, as the only means, in the state at which things have arrived, which can re-establish order: it being always understood, that the said cession only takes place in order that his subjects may enjoy the two following conditions:—1. The integrity of the kingdom shall be maintained. 2. The prince whom his majesty the emperor Napoleon shall judge proper to be placed on the throne of Spain shall be independent; and the limits of Spain shall undergo no alteration.

II. The catholic, apostolic, and Roman religion shall be the only one in Spain; no reformed religion shall be tolerated there, and still less infidelity, according to the usage now established.

III. All acts contrary to those of our faithful subjects, since the revolution of Aranjuez, are null and of

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no validity, and their property shall be restored to them.

IV. His majesty King Charles having thus secured the prosperity, the integrity, and the independence of his subjects, his majesty the emperor engages to give an asylum in his states to King Charles, to the queen, to the prince of Peace, as also to those of their servants who shall wish to follow them; who shall enjoy in France a rank equivalent to that which they possessed in Spain.

V. The imperial palace of Compeigne, and the parks and forests dependent on it, shall be at the disposal of King Charles during his life.

VI. His majesty the emperor gives and guarantees to King Charles a civil list of 80,000,000 of reals, which his majesty the emperor will cause to be paid him without delay every month, from the treasury of the crown.

At the death of King Charles a revenue of 2,000,000 shall form the dowry of the queen.

VII. His majesty the emperor Napoleon engages to grant to all the infantes of Spain an annual rent of four hundred thousand livres, to be enjoyed by them and their descendants in perpetuity, saving the revertibility of the said rent from one branch to the other, in case of the extinction of one of them, according to civil laws. In case of the extinction of all the branches, the said rent shall revert to the crown of France.

VIII. His majesty the emperor Napoleon shall make such arrangements as he shall judge proper with the future king of Spain for the payment of the civil list, and the rents stipulated in the preceding articles; but his majesty King Charles IV. is understood to have no relation with respect to that object, except with the treasury of France.

IX. His majesty the emperor Napoleon gives in exchange to his majesty King Charles the castle of Chambord, with the parks, forests, and farms, dependent on it, to enjoy in full property, and to dispose of as shall seem to him good.

X. In consequence, his majesty King Charles renounces, in favour of the emperor Napoleon, all the allodial and particular property not appertaining to the crown of Spain, but possessed personally.

The infantes of Spain shall continue to enjoy the revenues of the commanderies they possess in Spain.

XI. The present convention shall be ratified, and the ratifications exchanged, within eight days, or sooner, if possible.

Done at Bayonne, May 5, 1808.

DUROC.

THE PRINCE OF THE PEACE.

No. 22.—*King of Spain's last Proclamation.*

I have thought proper to give my beloved subjects this last proof of my paternal love. Their happiness, tranquillity, prosperity, and preservation, and integrity of the dominions that divine Providence had placed under my sway, have been the sole objects of my constant care during my reign. Every step and measure that have been adopted since my exaltation to the throne of my august ancestors have been directed to those just purposes, and could not be directed to any other. This day, in the extraordinary circumstances in which I am placed, my conscience, my honour, and the good name I ought to leave to posterity, imperiously require of me, that the last act of my sovereignty

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should be solely pointed to that end, viz. to the tranquillity, prosperity, security, and integrity of the monarchy whose throne I quit, to the greatest happiness of my subjects of both hemispheres. Therefore, by a treaty, signed and ratified, I have ceded to my ally and dear friend the emperor of the French, all my rights to Spain and the Indies, having stipulated that the crown of Spain and the Indies is always to remain independent and entire, as it was under my rule; and likewise that our holy religion is not only to be the predominant one in Spain, but the only one to be observed in all the dominions of the monarchy. Of all which you will take due notice, and communicate it to all the councils and tribunals of the kingdom, chiefs of provinces, civil, military, and ecclesiastical, and to all the justices of districts, in order that this last act of my sovereignty may be notorious to all and every one in my dominions of Spain and Indies; and you are all to concur and assist in carrying into effect the dispositions of my dear friend the emperor Napoleon, as they are directed to preserve the peace, friendship, and union between France and Spain, avoiding disorder and popular commotions, the effects of which can only be havoc and destruction of families, and the ruin of all.

Given in Bayonne, in the Imperial Palace of the Government, the 8th of May, 1808.

I, THE KING.

No. 23.—His majesty the emperor of the French, king of Italy, and protector of the confederation of the Rhine, and his royal highness prince of Asturias, having differences to regulate, have appointed for their plenipotentiaries—his majesty the emperor of the French and king of Italy, the general of division Duroc, grand marshal of the palace; and his royal highness the prince of Asturias, Don Juan d'Escoquitz, counsellor of state to his catholic majesty, and knight grand cross of the order of Charles III.; who, after having exchanged their full powers, have agreed to the following articles:—

Art I. His royal highness the prince of Asturias accedes to the cession made by the king Charles, of his rights to the throne of Spain and the Indies, in favour of his majesty the emperor of the French and king of Italy; and renounces as much as may be necessary to the rights accruing to him as prince of Asturias, to the crown of Spain and the Indies.

II. His majesty the emperor of the French and king of Italy grants, in France, to his royal highness the prince of Asturias, the title of royal highness, with all the honours and prerogatives which the princes of his blood enjoyed. The descendants of his royal highness the prince of Asturias shall preserve the title of princes, that of most serene highness, and shall always hold the same rank as the princes dignitaries of the empire.

III. His majesty the emperor of the French and king of Italy cedes and gives, by these presents, in full property to his royal highness the prince of Asturias, and to his descendants, the palaces, and parks, and farms of Navarre, and the woods dependent on them, to the amount of fifty thousand acres, the whole free from incumbrance, and to enjoy in full property from the day of the date of the present treaty.

IV. The said property shall pass

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to the children and heirs of his royal highness the prince of Asturias; in default of them, to the children and heirs of the infante Don Charles; in default of them, to the descendants and heirs of the infante Don Francisco; and finally, in default of them, to the children and heirs of the infante Don Antonio. Letters patent and particular, conferring the title of prince, shall be made out to him of those heirs to whom the said property shall revert.

V. His majesty the emperor of the French and king of Italy grants to his royal highness the prince of Asturias four hundred thousand livres of appanage rent on the treasury of France, and payable one-twelfth part every month, to be enjoyed by himself and his descendants, and the direct descent of his royal highness the prince of Asturias; failing this, the appanage rent shall pass to the infante Don Charles, his children and heirs; and they failing, to the infante Don Francisco, his descendants and heirs.

VI. Independently of what is stipulated in the preceding articles, his majesty the emperor of the French and king of Italy grants to his royal highness the prince of Asturias, a rent of six hundred thousand livres, in like manner on the treasury, to be enjoyed during life. The half of the said rent shall revert to the princess, his consort, if she survive him.

VII. His majesty the emperor of the French and king of Italy grants and guarantees to the infante Don Antonio, uncle of his royal highness the prince of Asturias, and to Don Charles and Don Francisco, the brothers of the said prince,

1. The title of royal highness, with all the honours and prerogatives which the princes of his blood enjoy: the descendants of their royal highnesses shall preserve the title of prince, that of most serene highness, and shall always hold the same rank in France as the princes dignitaries of the empire.

2. The enjoyment of the revenues of all their commanderies in Spain during their lives.

3. An appanage rent of four hundred thousand livres, to be enjoyed by them and their heirs in perpetuity, it being always understood that the infantes Don Antonio, Don Charles, and Don Francisco, dying without heirs, or their posterity becoming extinct, the said appanage rents shall appertain to his royal highness the prince of Asturias, or to his descendants and heirs; the whole on condition that their royal highnesses Don Charles, Don Antonio, and Don Francisco, accede to the present treaty.

VIII. The present treaty shall be ratified, and the ratifications exchanged, within eight days, or sooner, if possible.

Bayonne, May 10, 1808.

DUROC.

JUAN DE ESCOQUITZ.

No. 24.—Napoleon, by the grace of God, emperor of the French, king of Italy, protector of the confederacy of the Rhine, to all men to whom these presents shall come, sends greeting:—

The junta of the state, the council of Castile, the city of Madrid, &c. having notified to us, by their addresses, that the well-being of Spain requires a speedy stop to be put to the provisional government; we have resolved to proclaim, and we do by these presents proclaim our well-be-

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loved brother Joseph Napoleon, the present king of Naples and Sicily, to be king of Spain and India.

We guarantee to the king of Spain the independence and integrity of his states in Europe, as well as in Africa, Asia, and America; charging the lieutenant-general of the kingdom, the ministers, and the council of Castile to cause this proclamation to be expedited, and publicly announced, according to the usual custom, that none may plead ignorance hereof.

Given at our Imperial Palace at Bayonne, June 6, 1808.

(Signed) NAPOLEON.
H. B. MARET,
Minister of State.

No. 25.—*Answer of the Bishop of Orense.*

Answer returned to the Junta of the government, by Don Pedro de Quevedo y Quintano, Bishop of Orense, upon the occasion of his having been named deputy of the junta, at Bayonne:

Most excellent Sir—An ecclesiastic of Corunna delivered to me, on the evening of Wednesday, the 25th inst. your Excellency's letter of the 19th, by which, amongst other things, I see myself named as a deputy, to attend at the assembly which is to be held at Bayonne, in order to concur in whatever may promote the happiness of the monarchy, in conformity to the wishes of the great emperor of the French, zealous to raise it to the highest degree of prosperity and glory.

Although my abilities are weak, I will yield to no one in my wishes for the true happiness and glory of the nation, and would omit nothing which was in my power, and which I thought would promote it. But my age of 73 years, an actual indisposition, and others to which I am subject, prevent me from taking so long a journey, within so short a time, that would scarcely be sufficient for performing it, and still less for considering before-hand my duty, and for acquiring the information and instruction which ought to precede it. On this account I consider myself as under the necessity of exonerating myself of this charge, which I hereby do; not doubting but his serene highness the Duke of Berg, and the Supreme Junta of government, will consider as just and necessary my supplication that they would admit of so legitimate an excuse, as an exemption.

At the same time, with regard to the good of the nation, and to the intentions of the emperor and king, who desires to be, as it were, the angel of peace, and its protector and tutelary spirit, and who does not forget what he has so often manifested, the great interest which he takes in seeing the people and sovereigns who are his allies increase in power, in riches, and happiness of every kind; I take the liberty of representing to the Supreme Junta of government, and through them to the emperor and king of Italy, that which, previously to treating upon the business for which it appears to be convened, I should say and protest, in the assembly of Bayonne, if I could be present there.

The question is, of remedying evils, repairing injuries, of improving the condition of the nation, and the monarchy; but upon what basis and foundation? Is there any approved

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method, any firm authority, recognised by the nation, for doing this? Will she enslave herself, and expect her safety by this measure? And are there not diseases which are aggravated and exasperated by medicines; of which it has been said—*tangent vulnera sacra nullæ manus?* And does it not appear, that the maladies were of this class which have drawn the attention of his powerful protector, the emperor Napoleon, to his ally, the royal family of Spain? Their evils are so increased, that their health is, as it were, despaired of. They see themselves shut up in the French empire, in a country which had banished them for ever; and, returned to their primitive cradle, they find a tomb, (by a civil death,) there, where their elder branch was cut off by the rage and violence of a mad and sanguinary revolution. And, in this state, what can Spain hope for? Will her cure be more favourable? The means and medicines do not promise it.—The abdication of her kings at Bayonne, and of the infantes at Bourdeaux, where it is to be believed that they could not be free, where they beheld themselves surrounded by force and artifice, and deprived of the lights and assistance of their faithful vassals; these abdications, which cannot be conceived, and appear impossible, considering the natural impressions of paternal and filial affection, and the honour and lustre of the whole family, in which all honourable men take so much interest; these abdications, which have become suspected by the whole nation, and upon which depends the whole authority which the emperor and king can justly make use of, require, in order to make them firm and valid, and, at least, for the satisfaction of the whole Spanish monarchy, to be ratified by the king and infants, who have made them, when free from all restraint and fear. And nothing would be so glorious for the great emperor Napoleon I. who has taken so much interest in them, as to restore to Spain her august monarch and his family, and to provide that, in her own bosom, and in a general cortes of the kingdom, they should act according to their free choice, and that the nation itself, with the independence and sovereignty to which it is competent, should proceed, in consequence, to recongise, for its legitimate king, him whom nature, right, and circumstances, should call to the Spanish throne.

This magnanimous and generous proceeding would be the greatest eulogium of the emperor, and would be more grand and admirable for him than all the victories and laurels which crown him, and distinguish him amongst all the monarchs of the earth. And Spain too would escape the most disastrous lot which threatens her, and might finally recover from all her evils and enjoy a perfect health, and then give thanks to God, and pay the most sincere acknowledgments to its saviour and true protector, then the greatest of the emperors in Europe, the moderate, just, magnanimous, and beneficent Napoleon the Great.

At present Spain cannot but behold him under a very different aspect. She sees, or thinks she sees in him the oppressor of her princes, and of herself. She looks upon herself as enchained and enslaved, when happiness is offered to her. More than is worked by artifice, is done by violence, and by an army which has been admitted as a friend, either

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by indiscretion or timidity, or perhaps by a vile treason which serves to give an authority that cannot easily be esteemed legitimate.

Who appointed the serene Duke of Berg lieutenant-governor of the kingdom? Is it not an appointment made at Bayonne by an affectionate king, worthy of all the respect and love of his vassals, but who is in the hands of persons imperious through the ascendance which they have gained over his heart, and the force and power to which he is subjected? And is it not a deceitful illusion to name for lieutenant-general of this kingdom the commander of an army which threatens it, and immediately to abdicate the crown? Did Charles IV. wish to return to the throne merely to take it from his sons? And was it necessary to name a lieutenant, who, by his authority, and by a military force, would impede every effort which might be made to avoid the consummation of a project of this nature? I doubt whether, not only in Spain, but in all Europe, there can be found one sincere person who would not cry out in his heart against such extraordinary, and, to say no more, such suspicious acts.

To conclude—the nation sees itself, as it were, without a king, and knows not to whom to adhere. The abdication of its kings, and the appointment of a lieutenant-governor of the kingdom, are acts done in France, and under the eye of an emperor, who has persuaded himself that he shall make Spain happy, in giving her a new dynasty, which is to have its origin in that family, so fortunate, that it is thought incapable of producing princes, who have not the same or greater talents for governing people than the invincible, the victorious, the legislator, the philosopher, the great emperor Napoleon. The supreme junta of government, besides all the objections insinuated above, with its president in arms, and surrounded by an army, must be considered as deprived of its freedom, and the councils and tribunals of the court are in the same situation. What confusion! what a chaos! and what a source of misfortune for Spain! They cannot be provided against by any assembly convoked out of the kingdom, whose members neither possess their freedom, nor if they did, could believe they possessed it—and if to this we add, the tumultuous moments which may be apprehended within the kingdom, the pretensions of foreign princes and states, succours offered or solicited, and troops which may come to combat, in her bosom, the French and their partizans—what desolation, what more lamentable scene can be conceived! The compassion, the love, the interest, which the emperor and king takes in their welfare, may, instead of curing her, cause the greatest disasters.

I beg then, with all respect, that these, in my opinion, just apprehensions, may be laid before the supreme junta of government, and likewise submitted to the great Napoleon. I have hitherto been able to rely upon the rectitude of his heart, as free from ambition, and averse to deceit, and an artificial policy;—and I still hope, that he will recognise, that it cannot be for the good of Spain, to enslave her, and that he will not persist in applying remedies to her, when in fetters, as she is neither mad nor raving.—Let a legitimate authority be first established, and then let us think of the remedies.

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These are my wishes, which I have not feared to make known to the junta of the government, and to the emperor himself, because I have considered, that if they were not listened to, they would at least be looked upon, (as in reality they are,) as the effect of my love to my country, and to the august family of its kings, and of my duty as a counsellor, the temporal title of which is attached to the episcopacy of Spain—and in addition to this, I consider them as not only useful, but necessary to the true glóry and happiness of the illustrious hero, whom Europe admires, whom all venerate, and to whom I have the happiness of offering, on this occasion, my respectful, humble, and obsequious respects.—God grant your Excellency the happy years which I wish you.

Orense, May 29, 1808.

No. 26.—*Declaration of War against the Emperor of France, Napoleon the First.*

France, under the government of the emperor Napoleon the first, has violated towards Spain the most sacred compacts—has arrested her monarchs—obliged them to a forced and manifestly void abdication and renunciation; has behaved with the same violence towards the Spanish nobles whom he keeps in his power—has declared that he will elect a king of Spain, the most horrible attempt that is recorded in history—has sent his troops into Spain, seized her fortresses and her capital, and scattered his troops throughout the country—has committed against Spain all sorts of assassinations, robberies, and unheard of cruelties; and this he has done with the most enormous ingratitude to the services which the Spanish nation has rendered France, to the friendship it has shewn her, thus treating it with the most dreadful perfidy, fraud, and treachery, such as was never committed against any nation, or monarch, by the most barbarous or ambitious king or people. He has, in fine, declared, that he will trample down our monarchy, our fundamental laws, and bring about the ruin of our holy catholic religion. The only remedy, therefore, for such grievous ills, which are so manifest to all Europe, is in war, which we declare against him. In the name, therefore, of our king, Ferdinand the seventh, and of all the Spanish nation, we declare war by land and sea against the emperor Napoleon the first, and against France; we are determined to throw off her domination and tyranny, and command all Spaniards to act hostilely against her, to do her all possible damage according to the laws of war, to place an embargo upon all French ships in our ports, and all property, and effects, in whatever part of Spain they may be, whether belonging to the government or to the individuals of that nation. In the same manner we command, that no embarrassment, nor molestation, be done to the English nation, nor its government, nor its ships, property, or effects, nor any individual of that nation. We declare that there shall be open and free communication with England, that we have contracted, and will keep an armistice with her, and that we hope to conclude a durable and lasting peace. Moreover we protest, we will not lay down our arms till the emperor Napoleon the first, has restored to Spain our king, Ferdinand the seventh, and the rest of the royal family; has respected the sacred rights of the nation, which he has violated, and her liberty, integrity, and inde-

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pendence. With the same understanding and accordance with the Spanish nation, we command that the present solemn declaration be printed, posted, and circulated, among all the people and provinces of Spain and America, that it may be known in Europe, Africa, and Asia:—Given in the royal palace of Alcazar at Seville, this 6th of June, 1808.——By order of the supreme junta of government.

MANUEL MARIA AGUILAR, Sec.
JUAN BAUTISTA PARDO, Sec.

Instruction from the Supreme Junta of the Government, to all Cities and Towns, to be executed with the utmost promptitude.

1. In cities and towns consisting of 2000 or more householders, a junta shall be established, which shall superintend all arrangements, and shall be obeyed by all the inhabitants; and in places of smaller size, the ayuntamientos shall hold the place and perform the functions of the juntas.—2. It is ordered, that with the concurrence of the ayuntamiento, clergy, prelates, priest, nobles, and other persons, so assembled, a junta of six be formed to receive orders from the supreme junta, and correspond therewith, and in every particular act under their authority; and the inhabitants and the corregida are required to obey them in their office, and every thing thereunto appertaining.—3. It shall be the duty of this junta to enlist the inhabitants from the age of 16 to 45, first, such as volunteer their services, and then all the secular inhabitants of the aforesaid age, to form them in companies, to assign them respectable persons for captains, lieutenants, and ensigns, with full power to name serjeants and corporals, which they will proceed to do with all possible dispatch.—4. They will instruct the towns of their districts, and even those of the neighbouring districts, to submit to the same regulations, enlistments, and appointments, and to advise the junta thereof without delay.—5. For the present, each company shall remain in its district, but the junta is empowered, if it think fit, to call together the enlisted companies in the other towns.—6. The junta will name a confidential person to administer, under its direction, the funds which must meet the expences of the present occasion.—7. These funds shall be raised by orders of the junta to all corporations and rich individuals, and over and above a subscription shall be opened, that all the inhabitants may contribute in proportion to their zeal for their king and country, and the urgent necessity of the cause.—8. To these funds shall be added patriotic loans of money, to be afterward repaid in full; and it is expected from the public spirit of the inhabitants, that there will be no occasion for forced loans, or any other proceeding, which, though it might be violent, would still be justifiable by the necessity of the case. —9. This proclamation (bando) shall be printed and published by this supreme junta, and shall be placarded and circulated in all places.—10. All the magistrates and public functionaries are for the present confirmed in their respective offices.

D. J. BAUTISTA ESTELLER, Sec.
D. J. B. PARDO, Sec.
Seville, 29th May, 1808.

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No. 27.—*Precautions which will be proper to observe throughout the different provinces of Spain, in the necessity to which they have been driven by the French, of resisting the unjust and violent possession which their armies are endeavouring to take of the kingdom.*

We cannot doubt a moment of the exertions which the united provinces of Spain would make to obstruct and defeat the malicious designs of the French, and that they will sacrifice even their lives on this occasion, the most important, and even unparalleled in the history of the nation, both in the thing itself, and in the horrible means of ingratitude and perfidy by which the French have undertaken, pursued, and are still endeavouring to effect our slavery:—1. Let the first object be to avoid all general actions, and to convince ourselves of the very great hazards, without any advantage, or even the hope of it, to which they would expose us. The reasons of this resolution are many, and such as any one will discover who has the use of his understanding.—2. A war of partisans is the system which suits us; the embarrassing and wasting the enemy's armies by want of provisions, destroying bridges, throwing up entrenchments in proper situations, and other similar means. The situation of Spain, its many mountains, and the passes which they present, its rivers and torrents, and even the collocation of its provinces, invite us to carry on this species of warfare successfully.—3. It is indispensible that each province should have its general, of known talents, and of such experience as our situation permits, that his heroic loyalty should inspire the utmost confidence, and that every general should have under his command officers of merit, particularly of artillery and engineers.—4. As a combined union of plans is the soul of every well concerted enterprize, and that which alone can promise and facilitate a successful issue, it appears indispensible that there should be three generalissimos, who should act in concert with each other—one who should command in the four kingdoms of Andalusia, in Murcia, and Lower Estramadura—another in Galicia, Upper Estramadura, Old and New Castile, and Leon—another in Valencia, Arragon, and Catalonia; a person of the greatest credit being appointed to Navarre, the Biscayan Provinces, Montanus, Asturias, Rinja, and the North of Old Castile, for the purposes which will be mentioned hereafter.—5. Each of these generals and generalissimos will form an army of veterans, troops and peasantry united, and put himself in a situation to undertake enterprises, and to succour the most exposed points, keeping up always frequent communication with the other generalissimos, in order that all may act by common accord, and assist one another.—6. Madrid and La Mancha require an especial general, to concert and execute the enterprizes which their particular local situation demands—his only object must be to embarrass the enemy's armies, to take away or cut off their provisions, to attack them in flank and rear, and not to leave them a moment of repose. The courage of these inhabitants, is well known, and they will eagerly embrace such enterprises if they are led as they should be. In

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the succession war the enemy entered twice into the interior of the kingdom, and even as far as its capital, and this was the cause of defeat, their entire ruin, and their utter failure of success.—7. The generalissimos of the North and East will block up the entrances to the provinces under their command, and come to the assistance of any one that may be attacked by the enemy, to prevent as much as possible all pillage, and preserve its inhabitants from the desolation of war; the many mountains and defiles which are on the confines of these provinces being favourable to such projects.—8. The destination of the general of Navarre, Biscay and the rest of this department is the most important of all, in which he will be assisted by the generals of the North and East: with the troops and other succours which he stands in need of. His whole business must be to shut the entrance of Spain against fresh French troops; and to harrass and destroy those that return from Spain to France by this point. The very rugged local situation of these provinces will be of singular advantage in such a design, and these enterprises, if well concerted and carried into execution, will no doubt be successful: and the same may be understood of the different points by which the French troops which are in Portugal may come into Spain, or by which French troops may enter through Rolissillon into Catalonia, for there is not much to be apprehended for Arragon. And, even from Portugal, it is not thought that they will escape, on account of the proclamations which have been circulated in that kingdom, and the hatred which they before bore to the French being encreased without measure by the innumerable evils which they have been made to suffer, and the cruel oppression in which they are held by them.—9. At the same time it would be very proper that the generalissimo should publish and circulate frequent proclamations amongst the people, and rouse their courage and loyalty, shewing them that they have every thing to fear from the horrible perfidy with which the French have dealt with all Spain, and even with their king Ferdinand VII. and that if they rule over us all is lost, kings, monarchy, property, liberty, independence, and religion; and that therefore it is necessary to sacrifice our lives and property in defence of the king, and of the country, and though our lot (which we hope will never come to pass) should destine us to become slaves, let us become so fighting and dying like gallant men, not giving up ourselves basely to the yoke like sheep, as the late infamous government would have done, and fixing upon Spain and her slavery eternal ignominy and disgrace. France has never domineered over us, nor set her foot in our territory. We have many times mastered her, not by deceit, but by force of arms; we have made her kings prisoners, and we have made the nation tremble—we are the same Spaniards; and France, and Europe, and the world shall see, that we are not less gallant, nor less brave than the most glorious of our ancestors.—10. All persons of education in the provinces should be stimulated to frame, print, and publish frequent short discourses, in order to preserve the public opinion, and the ardour of the nation, confuting at the same time the infa-

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mous diaries of Madrid, which *the baseness of the late government* has permitted, and still permits to be published in Madrid itself, and has caused to be circulated abroad, detecting their falsehoods and continual contradictions. Let them cover with shame the miserable authors of these diaries, and sometimes extend their remarks to those charlatans, the French Gazeteers, and even to their Moniteur: and let them display and publish to Spain, to all Europe, their horrible falsehoods and venal praises; for they afford abundant matter for such a work. Let all such perverted minds tremble at Spain: and let France know that Spaniards have thoroughly penetrated their designs; and therefore it is that they justly detest and abominate them, and that they will sooner lay down their lives than submit to their iniquitous and barbarous yoke.—11. Care shall be taken to explain to the nation, and to convince them, that when freed, as we trust to be, from this civil war, to which the French have forced us, and when placed in a state of tranquillity, our lord and king, Ferdinand VII., being restored to the throne, under him and by him *the cortes will be assembled, abuses reformed*, and such laws shall be enacted as the circumstances of the time and experience may dictate for the public good and happiness: —things which we Spaniards know how to do, which we have done as well as other nations, without any necessity that the vile French should come to instruct us, and, according to their custom, under the mask of friendship, and wishes for our happiness, should contrive, for this alone they are contriving, to plunder us, to violate our women, to assassinate us, to deprive us of our liberty, our laws, and our king, to scoff at and destroy our holy religion, as they have hitherto done, and will always continue to do, so long as the spirit of perfidy and ambition, which oppresses and tyrannises over them shall endure.

"JUAN BAUTISTA PARDO, Sec."
By order of the Supreme Junta.

No. 28.—*Speech delivered to the Parliament by the Lords Commissioners, at the Prorogation of the Parliament, on the 4th of July*, 1808.

"MY LORDS AND GENTLEMEN,

"We have it in command from his Majesty to express to you the great satisfaction which he derives from being enabled, by putting an end to the present session of parliament, to terminate the laborious attendance which the public business has required of you.—The measure which you have adopted for the improvement of the military force of the country promises to lay the foundation of a system of internal defence eminently useful, and peculiarly adapted to the exigencies of these times.—The sanction which you have given to those measures of defensive retaliation to which violent attacks of the enemy, upon the commerce and resources of this kingdom compelled his Majesty to resort, has been highly satisfactory to his Majesty.—His Majesty doubts not, that, in the result, the enemy will be convinced of the impolicy of persevering in a system which retorts upon himself, in so much greater proportion, those evils which he endeavours to inflict upon this country.

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"GENTLEMEN OF THE HOUSE OF COMMONS, We are commanded by his Majesty to return his hearty acknowledgements, for the cheerfulness and liberality with which the necessary supplies for the current year have been provided.—His Majesty directs us to assure you that he participates in the satisfaction with which you must have contemplated the flourishing situation of the revenue and credit of the country, notwithstanding the continued pressure of the war; and he congratulates you upon having been enabled to provide for the exigencies of public service with so small an addition to the public burdens.—His Majesty commands us to thank you for having enabled him to make good his engagements with his allies; and to express to you the particular gratification which he has derived from the manner in which you have provided for the establishment of his sister, her Royal Highness the Duchess of Brunswick.

"MY LORDS AND GENTLEMEN, His Majesty has great satisfaction in informing you, that, notwithstanding the formidable confederacy united against his ally the King of Sweden, that sovereign perseveres, with unabated vigour and constancy, to maintain the honour and independence of his crown. No effort has been wanting on the part of his Majesty to support him in the arduous contest in which he is engaged.—The recent transactions in Spain and Italy have exhibited new and striking proofs of the unbounded and unprincipled ambition which actuates the common enemy of every established government and independent nation in the world.—His Majesty views with the liveliest interest the loyal and determined spirit manifested by the Spanish nation, in resisting the violence and perfidy with which their dearest rights have been assailed. Thus nobly struggling against the tyranny and usurpation of France, the Spanish nation can no longer be considered as the enemy of Great Britain, but is recognized by his Majesty as a natural friend and ally.—We are commanded to inform you, that communications have been made to his Majesty, from several of the provinces of Spain, soliciting the aid of his Majesty. The answer of his Majesty to these communications has been received in Spain with every demonstration of those sentiments of confidence and affection which are congenial to the feelings and true interest of both nations: and his Majesty commands us to assure you, that he will continue to make every exertion in his power for the support of the Spanish cause; guided in the choice and in the direction of his exertions by the wishes of those in whose behalf they are employed.—In contributing to the success of this just and glorious cause, his Majesty has no other object than that of preserving unimpaired the integrity and independence of the Spanish monarchy.—But he trusts that the same efforts which are directed to that great object may, under the blessing of Divine Providence, lead, in their effects, and by their example, to the restoration of the liberties and peace of Europe.

No. 29.—*Order of Council, dated 4th July*, 1808.

His Majesty having taken into his consideration the glorious exertions of the Spanish nation for the deliverance of their country from the

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tyranny and usurpation of France, and the assurances which his Majesty has received from several of the provinces of Spain, of their friendly disposition towards this kingdom,—his Majesty is pleased, by and with the advice of his privy-council, to order, and it is hereby ordered,—first, That all hostilities against Spain on the part of his Majesty shall immediately cease;—secondly, That the blockade of all the ports of Spain, except such as may be still in the possession, or under controul of France, shall be forthwith raised;—thirdly, That all ships and vessels belonging to Spain shall have free admission into the ports of his Majesty's dominions, as before the present hostilities;—fourthly, That all ships and vessels belonging to Spain, which shall be met at sea by his Majesty's ships and cruizers, shall be treated in the same manner as the ships of any state in amity with his Majesty, and shall be suffered to carry on any trade now considered by his Majesty to be lawfully carried on by neutral ships;—fifthly, That all vessels and goods belonging to persons residing in the Spanish colonies, which shall be detained by any of his Majesty's cruizers after the date hereof, shall be brought into port, and shall be carefully preserved in safe custody, to await his Majesty's further pleasure, until it shall be known whether the said colonies, or any of them, in which the owners of such ships and goods reside, shall have made common cause with Spain, against the power of France.—And the right honourable the lords commissioners of his Majesty's treasury, his Majesty's principal secretaries of state, the lords commissioners of the admiralty, the judge of the high court of admiralty, and the judges of the court of vice admiralty, are to take such measures herein as to them may respectively appertain.

No. 30.—*Address of General Morla on the part of the Government to the People of Cadiz, 14th June, 1808.*

The French squadron has surrendered at discretion, relying on the humanity and generosity of the inhabitants of Cadiz, as has already been made known. The measures which have been pursued have prevented our squadron from sustaining the least damage, nor have the forces employed to reduce the French squadron sustained any considerable loss, and the effusion of blood has been less than in the combat of two small armed vessels:—the loss in killed does not exceed four men. The French ships, their arms, and warlike stores, remain at our disposal; and the prisoners taken will be exchanged for our troops. Nothing of that kind could have been attained by red-hot balls, or similar means. Had no measures of prevention been taken, which require time, our loss would have been much greater. I therefore trust I have acquitted myself in a manner worthy of the inhabitants of this town, who have given me so many repeated proofs of their confidence and respect, that I shall at all times entertain the highest sense of the approbation with which they have honoured my conduct.—But now I demand, exact, and ordain, that all disturbances shall cease; that every thing shall return to order; that all persons, according to their different ranks and stations, shall submit to the constituted authorities, who all depend from the supreme council of government, at all

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times solicitous to promote the public welfare, and to procure the best alliances and means to secure a successful issue of our undertaking: let the laws reign, and all arbitrary proceedings be avoided. The most enlightened and civilized people upon earth disgraces itself by demanding the death of any individual. The field of battle, where force is repelled by force, authorises alone the effusion of blood, which is otherwise illegal. The sovereign himself is not master of the life of an offender, unless he has forfeited the same by the laws of his country. These laws prohibit, in all countries, even among the most barbarous nations, sedition, and disturbances of every description: we are bound to obey and respect them. This is the only means to secure a successful issue of the contest in which we are engaged, and not to offend either against the God of Hosts, or the sovereign whose sacred rights we have sworn to defend.—In order to avoid an unnecessary multiplication of publications, I now address the French who reside in this city. The supreme council has used towards you the utmost lenity and respect: After having taken the oath of fidelity to the Spanish nation, you are permitted to remain in this country, and your property is respected.—Grateful for this valuable blessing, you should not be vipers, which destroy the bosom that gave them shelter. On the contrary, you are bound to shew the utmost loyalty and respect for a government which treats you in so generous a manner. By such conduct you will not only avoid the odium of the good inhabitants of this town, but also obtain their love. Should you act otherwise, dread their justice: they will punish with the utmost rigour, and without the least mercy, even meetings which you may hold among yourselves, and disloyal expressions which you may make use of, in opposition to our cause. Should any one of you be so far devoid of reason as not to respect it on account of its equity and justice, he will fall a victim of his wickedness or pride.

MORLA.

Address of Gen. Morla to the People of Cadiz, 15th June, 1808.

The commotion, more or less violent, which has taken place in the whole peninsula of Spain, has been of eminent service to rouse us from the state of lethargy in which we indulged, and to make us acquainted with our rights, our glory, and the inviolable duty which we owe to our holy religion and our monarch. We wanted some electric stroke to rouse us from our paralytic state of inactivity: we stood in need of a hurricane, to clear the atmosphere of the insalubrious vapours with which it was loaded. Fortunately, the only antidote which could save us, has proved efficacious. It is, however, necessary to know, that if the use of heroic remedies be continued, after the good effect which was expected from them has been obtained, they destroy, annihilate, and kill; that excessive efforts bring on indirect debility, which is worse than direct weakness, because the very principle of strength is emaciated. Hence it is, that although the popular ferment which has pervaded all the provinces has been of considerable use, yet, if not checked, it will produce a state of putrefaction, or, in other words, prove extremely destructive. It is necessary to return to order, and to have confidence in

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the magistrates, who, from their knowledge, studies, and experience, are able to deliberate, combine, and determine, as circumstances shall direct. Without the most intimate knowledge, the wisest are liable to err: and how can a mob possibly steer clear of errors, which is mostly guided by the cries of women and boys? —But not restricting myself to this city, I really believe that all these observations are perfectly useless, because the inhabitants of this city are more enlightened than any other, on account of their trade and intercourse with other nations. There are but few idiots in this city, who are merely guided, as it were, by instinct; and much smaller is the number of those who, from their vicious habits, can only exist in confusion and disorder. These few have been joined by others of the neighbouring districts, who neither enlist for the honourable and glorious service in which we are engaged, nor apply themselves to reap the plentiful crops with which Providence has been pleased to bless us. These are the men who have not looked for any other employment than that of disturbing the peace and tranquillity of this place, and of preventing the rest of the inhabitants, nay, the magistrates, from performing their duty. They are well known. Unless they amend their conduct, and all foreigners withdraw to their different habitations, they will certainly be punished. Well-disposed persons will be obliged to take up arms; they who are not able to bear arms will be employed for other purposes; and boys neglected by their parents, and women who raise the hue and cry, shall be punished. The troops, the whole town, the sword of justice, and, above all, God himself, who avenges the wrongs of those who misuse his mercies, authorise and support me. I make this known, that no person may plead ignorance. However disposed, I shall always follow the dictates of humanity and mercy. It will never be my wish to punish, but I shall at all times be happy to correct.

No. 31.—*Answer of General Morla to a Letter which General Dupont sent from Lebrija.*

Excellentissimo Senor General Dupont, I was never capable of bad faith or dissimulation, and hence I wrote to you on the 8th instant with the candour which is peculiar to me; and I feel myself obliged, in consequence of your yesterday's reply, to repeat, in substance, what I had then the honour to say to your excellency, as that which must certainly be adhered to. Neither the capitulation, nor the approbation of the junta, nor the express command of our beloved king, can render that possible which is in itself impossible. We have neither vessels nor the means to procure them, for the transportation of your army. What better proof is necessary, than that we retain here the prisoners of your squadron, because we have not the power of transporting them beyond the continent? When General Castanos promised to obtain passports from the English for the passage of your army, he could only oblige himself earnestly to request it: He has done this. But how could your excellency believe that the British nation would accede to this, certain that you would instantly carry on the war on some other point, or perhaps on the same? I am persuaded that neither General Castanos nor your excellency ever thought that the capitulation would

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be executed. The object of the first was, to relieve himself from embarrassment, and that of your excellency to obtain conditions, which, though impossible, would do honour to your surrender. Each has obtained what he desired, and now the imperious law of necessity must be obeyed. The national character does not permit us to treat the French otherwise than this law prescribes. We cannot use reprisals. Your excellency obliges me to utter truths which cannot but be bitter. What right has an army to demand the execution of impossible articles of capitulation, which entered Spain professing friendship and alliance, imprisoned our king and the royal family, plundered his palaces, assassinated and robbed his subjects, ravaged his towns, and deprived him of his crown? If your excellency is not desirous to draw upon you more and more the just indignation of the people, which I am labouring so much to repress, cease to advance such inadmissible pretensions, and endeavour, by submission, and a suitable behaviour, to weaken the strong sense of the atrocities you recently committed at Cordova. Your excellency may be assured that my object in making this intimation to you is no other than your own welfare. The unreflecting vulgar only wish to return evil for evil, without weighing circumstances. I cannot omit declaring your excellency answerable for the fatal results which may proceed from your repugnance to that which is inevitable. The orders given by Don Juan Creagh, and communicated to your excellency, are those of the supreme junta, and are indispensible, under the actual circumstances. To retard their execution would alarm the people, and occasion inconveniencies. M. Creagh has already informed me of an occurrence which makes me exceedingly upon my guard. What an effect must it have upon the people to know that a single soldier was carrying away 2580 livres Tournois! This is what I had to reply to your excellency's note, and I hope that this will be my last answer to such points: Remaining, in other respects, desirous to serve you, being your sincere and obedient servant.

Cadiz, 10*th August*, 1808.

No. 32.—*Answer of the Captain General of the Province and Governor of Cadiz, to the Letters of General Dupont, on occasion of what took place on the* 13*th inst. at the Port of Santa Maria.*

Excellentissimo Senor General Dupont, It is with extreme surprise that I received your excellency's letter of yesterday, in which you make a demand of the equipages, money, horses, and various commodities belonging to you and the general who accompanied you, which the populace of Santa Maria plundered and destroyed. *Invoking the principles of honour and probity for the restitution of* YOUR PROPERTY, *the horrible excesses* (your excellency continues) *committed by this people have made me sigh, zealous as I am of the glory of Spain!!!*

Certainly I have been hurt at their conduct; not because I thought the action in itself bad, but because it implied, on the part of the people, a distrust of their government and magistrates; because they took the administration of justice into their own hands; because it might have happened, that, when enraged, they might assume the vile and horrid employment of executioners; pollu-

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ting themselves with the blood of the disarmed, and throwing a shade over the lory of their fellow-patriots, by shedding the blood of those *they* had pardoned in the field of Mars.—These are, in fact, the causes of my concern and displeasure. These were the reasons which induced me to write to Col. Don Juan Creagh, to propose for the safety of your excellency, and the others who accompanied you, that your equipage should be examined, and deposited before you left Lebrija; that your excellency should spend the night at Xerez; and that a regiment should be put under arms at Puerto, to suppress any insurrection, where, from the confidence of the governor, there were no troops armed. I therefore wrote to your excellency, that submission and a prudent demeanour could alone save you from the rage of the people. But it never was my intention, and still less that of the supreme junta, that your excellency and your army should carry out of Spain the fruit of your rapacity, cruelty, and impiety. How could your excellency conceive this possible? How could you imagine us to be so stupid and senseless? Can a capitulation which speaks only of your equipage give you a property in the treasures which your army has accumulated by means of assassinations, cruelty, and sacrilege of the most horrid kind, at Cordova and other cities? Is there any reason or right which requires that faith, or even humanity, should be observed towards an army which entered the kingdom of a friend and ally under false and ridiculous pretences, seizing perfidiously its beloved and innocent king, and all his family, and extorting from him renunciations, which can never be executed, in favour of their monarch; thinking these renunciations confer a right to plunder the palaces and towns of the kingdom; and because the nation will not submit to this, proceed to profane and plunder the temples of religion, and murder the ministers of the altar, ravishing virgins, seizing every article of value they can transport, and destroying what they were forced to leave behind? Is it possible that they, when deprived of the horrid fruits of their iniquity, should have the impudence to appeal to the principles of honour and probity? My natural moderation has induced me to write to your excellency hitherto with a certain respect; but in opposition to such extraordinary demands, which are equivalent to this: "Do you sack the temples and inhabitants of Cadiz in order to indemnify me for the plunder of Cordova and other cities which the populace of the port have taken from me?" I could not refrain from drawing a slight sketch of your conduct. Your excellency will lay aside such false expectations, and congratulate yourself that the Spanish people, as I have already said, have so noble a character, that they will abstain from exercising the vile office of executioners. I shall do all that is in my power to secure your personal security, and furnish you with a regular subsistence, and use all dispatch to cause you to be transported as soon as possible to France. This is what I had to reply to your excellency, towards whom, in other respects, I profess esteem, being your humble servant.—I kiss your hands.

Cadiz, August 14, 1808.

No. 33.—*Justification to the Spanish Nation of the conduct of the Cap-*

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tain-General of Andalusia towards Dupont and the other French Generals.

Having repeatedly received anonymous letters from various cities of Spain, and even from Madrid, insisting that my honour and the national justice and service required the extermination of Dupont and the other French generals; some adding also, that this bloody sentence should have been executed upon all the prisoners,—I deem it incumbent upon me to avow the reasons which led me not to accede to such cruel desires, and to oppose vigorously their being carried into execution. I confess that the first of these anonymous letters, by their bad writing and coarse style, appeared to me to proceed from persons low, ignorant, and habituated to crimes, who delight only in the effusion of human blood; but, at the same time, the elegant style and the consistent reasoning employed in others of those letters convinced me that those opinions were adopted by persons not without information and education; so that I could not but doubt the justness of my own notions, being so opposite to theirs. But I shall now state them simply, that they may be duly appreciated by all. In the first place, I do not execute, or desire to execute, the supreme power; and it was the junta of Seville which, for weighty reasons, not fit for the public, suspended the transportation of Dupont and the other French generals. I had only to obey; for it is not in my character or manner of thinking ever to resist a constituted authority, which can only occasion civil dissensions—the greatest evils a nation can suffer, and which I shall never spare any sacrifices to avoid. But independently of this substantial reason for my conduct, how could I ever adopt so atrocious a vengeance, and which must draw after it such melancholy and horrible consequences? If Murat, Dupont, Junot—if the troops they command have committed rapes, robberies, and murders, and have violated the temples, these acts have been committed either with or without the orders of their sovereign. In the first case, he will punish them; and in the second, if we punish them, not catching the perpetrators in the fact, and punishing violence by violence, but after they have surrendered their arms, on the faith of a capitulation, granted by the only legitimate authority, in this case, Napoleon would not fail to exercise the right of retaliation; and, consequently, all those would be the victims of his rage whom his base policy did not wish to preserve. The sanguinary executions which would follow would make the whole nation bitterly lament, those included who had even demanded the punishment of Dupont. Every one would say then, I have no doubt, "You, Morla, with your years, study, and experience, ought to have foreseen the melancholy result of our wishes: How could you accede to them? Did you not perceive that they were produced by the disgusting aspect of French atrocities, and the continual declamations of an unthinking populace, who are unable to combine, who see not the tendencies of things, and are always guided by first impressions? If you foresaw this, you were a traitor; if not, you were a fool." It is this want of combining ideas, this habit of giving way to first impressions, which occasion the populace, and, most of all, the women, to treat the prisoners ill in all wars:

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not being themselves exposed to reprisals, they do not see what the enemy may inflict upon the brave and honourable soldier who defends them.—But they who are themselves exposed to suffer the cruelty of the enemy, are themselves generous and humane. Our champions of Baylen, who had faced the most violent attacks of the enemy—who saw their companions dead before them, or uttering their last groans—who were covered with their own blood, and had been eye-witnesses of the depravity and iniquity of the enemy,—no sooner had Dupont and his army thrown down their arms, than these very men laid aside their anger, furnished them with waggons, and magnanimously fed them with their own hands. This is the effect produced by the idea of being exposed to a similar situation. But, on the contrary, people removed from the seat of war—they who are exempt from military duties, and who avoid them, and fly from them through pusillanimity, they endeavour to display the valour which they have not, by bravadoes, and by canvassing military operations, giving it to be understood, that in them are to be found more skill and valour. These are they, who, feeling the valour of a hangman, wish to supply his place, by exterminating those whom their generous countrymen have conquered; being eager to execute those whom military force has vanquished. These, too, are the persons who, on the present occasion, have stripped the vanquished; not in the noble design of furnishing the state with the means of continuing the war, nor with the just intention of returning the plunder to the lawful owners; but merely to appropriate to themselves the booty, in defiance of all law and probity. Happily it is only the lowest of the populace, who in this respect, depart from the characteristic nobleness and generosity of the Spanish people. Not to insult the vanquished, not to avenge injuries on the fallen, and to forgive the prostrate, are virtues indelible on the Spanish heart. It is only rooted vice, the wretchedness resulting from the worst of education and the grossest stupidity, which are able to efface them. On the contrary, since the introduction of the Christian religion, and the civilization spread by that luminous torch of divinity over the select of mankind—after having recognised the precept, to *love our enemies*, all the nations which have obeyed it have laid aside the cruelties and barbarities practised in war before that time. To be massacred, mutilated, or enslaved, was then the common fate of prisoners. But who would presume now, in defiance of religion, humanity, and civilization, to re-establish those barbarous practices? I will never believe this of my countrymen. On the contrary, I hope that they will rectify their ideas, and direct their energies not to a low revenge, free from all immediate danger, but to augment, by a devotion of themselves and their property, the means of carrying on a vigorous and active warfare against our enemies, not merely driving them from our territory, but pursuing them into their own, making them experience, in the field of battle, the whole resentment of a noble nation, perfidiously deceived, and grievously offended. TOMAS DE MORLA.

No. 34.—PROCLAMATION.—Don Joseph, by the grace of God, of Spain, Majorca, Minorca, Gibraltar, of the Continent of America, the Islands, &c. &c. &c. King, &c. &c.,

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To the Vice-Roys, Captain-General, Governors, Corregidors, and to all other officers, civil and military, of whatever denomination, and to all the inhabitants of the Spanish dominions in the West and East Indies, maketh known, that,

By virtue of the treaties of the 5th and 10th of May last, by which king Charles IV., and the princes of his house, have formally relinquished all right and title to the crown of Spain, and all the dominions belonging to it, in favour of my dear and august brother, Napoleon the First, emperor of the French, king of Italy, &c., who hath been graciously pleased to confer the same upon me, on the 4th of the present month, my wishes and my ambition have been to come to Spain, to take upon me the government of the country—to devote myself to the happiness and interest of the people whom Providence has committed to my charge—and to carry into effect the regulations which shall be made by the junta of the Representatives and Notables of the kingdom; which junta is assembled at Bayonne, and will be again called together at that place on the 15th instant, in order to take into consideration the means of establishing a just and permanent government, and of placing Spain, with all her exclusive dominions, on a better footing, by securing her independence, and raising her to that rank in the scale of nations which formerly distinguished her, and which her inhabitants are still worthy to possess. To accomplish this object, I have accepted the crown. I hasten to make this declaration of my paternal solicitude for your happiness, and to assure you that it shall be exerted equally for the good of the remotest parts of my dominions. Confiding in my royal word, you shall continue to enjoy all your privileges as good subjects. Prosecute your ordinary avocations in peace. Be obedient to your superiors, and guard against the machinations of those who set the laws at defiance. Justice must be administered impartially; and I strictly enjoin all judges and magistrates to comply with my pleasure in this subject. Look up to me as your protector: I shall ever have your interest at heart, and will double my endeavours to defend you from the attack which the implacable enemies of Spain meditate against you.

I enjoin all archbishops, bishops, and ministers of religion, which I pledge myself to maintain inviolate, to use their influence among the peopel to make them obedient to the laws, and to guard them against the dangerous consequences of sedition and treason. I repeat my declaration, that my government shall be founded on justice, and my sole object be the accomplishment of your happiness. All governors, judges, &c., are commanded to give the utmost publicity to this proclamation.

I, THE KING.

Given at Bayonne, June 11, 1808.

By order of the king, our most gracious sovereign,

M. JOS. D'AZANZA.

No. 35.—*Manifesto, or Justificatory Exposition of the conduct of the Court of Portugal with respect to France, from the Commencement of the Revolution to the time of the Invasion of Portugal, and of the Motives which compelled it to declare War against the Emperor of the French, in consequence of that Invasion, and the subsequent Declaration of War, made after the*

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Report of the Minister of Foreign Relations.

The court of Portugal, after having kept a silence suitable to the different circumstances in which it was placed, and to the moment when the seat of government was established, conceives that it owes to its dignity and rank among other powers a faithful and accurate exposition of its conduct, supported by incontestible facts, in order that its subjects, impartial Europe, and also the most distant posterity, may judge of the purity of its conduct, and the principles it has adopted, as well to avoid the fruitless effusion of the blood of its people, as because it could not persuade itself that solemn treaties, of which it had fulfilled the burdensome conditions in favour of France, could become a despicable, an infant's toy, in the eyes of a government whose immoderate and incommensurable ambition has no limits, and which has but too much opened the eyes of the persons most prejudiced in its favour. It is not in invectives, or in vain and useless menaces, that the court of Portugal will raise its voice from the midst of the new empire which it is about to create:—it is by true and authentic facts, explained with the greatest simplicity and moderation, that it will make known to Europe, and its subjects, all that it has suffered; that it will excite the attention of those who may still desire not to be the victims of so unbounded an ambition, and who may feel how much the future fate of Portugal, and the restitution of its states, invaded without a declaration of war, and in the midst of profound peace, ought to be of consequence to Europe, if Europe ever hopes to see revived the security and independence of the powers which formerly composed a species of republic that balanced itself, and maintained an equilibrium in all its different parts.—An appeal to Providence is the consequence of this exposition; and a religious prince feels all the importance of it, since guilt cannot always remain unpunished, and usurpation and violence enfeeble and consume themselves by the continual efforts they are obliged to employ.

The court of Portugal, though it saw with regret the French revolution begin, and deplored the fate of the virtuous king with whom it was connected by the closest ties of blood, yet did not take any part in the war which the conduct of the madmen who then reigned (by the confession even of the present government) forced all governments to declare against them: Even when it sent succours to Spain for the defence of the Pyrenees, it always endeavoured to preserve the most perfect neutrality.

In the year 1793, the French government sent an envoy to the court of Portugal, who was received with the utmost respect, but who was not acknowledged; for then neither the principles of the law of nations nor of public law, authorised governments to acknowledge extraordinary changes, unless they are known to be legitimate; and no nation is, in that respect, to judge for another, whilst its independence exists. The French government, without any declaration of war, or any formality, began to detain the Portuguese merchant vessels, and, after the peace in 1801, demanded and obtained indemnities for those which the court of Portugal detained, to obtain a legitimate compensation, without paying any regard to the claims and re-

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monstrances of the Portuguese merchants. The court of Spain, which had required succours from Portugal, and which, by the confession of the French generals, was obliged to acknowledge how useful and necessary they had been, when it made peace with France, not only forgot its ally, which it ought to have caused to be declared in a state of peace with France, since the court of Portugal, in succouring its ally, to fulfil the conditions of the treaty of alliance which existed between the two sovereigns, had no intention to make war against France: but what is perhaps unheard of, or at least very rare in the annals of history, Spain then made a common cause with France, to force Portugal to receive unjust and humiliating conditions of peace; nor did Spain cease to declare itself the enemy of its ally, till the moment when the treaties of Badajoz and Madrid were signed: employing even the forces of France to wrest from Portugal a small extent of territory of the province of Alentejo, on the side of Olivenza: thus leaving to posterity an eternal monument of the wretched recompence she bestowed on an ally, who, notwithstanding the ancient rivalry of the two nations, would not fail to fulfil the conditions of a treaty of alliance which existed between them.

The treaties of peace of Badajoz and Madrid, in 1801, are likewise a new proof of bad faith in the enemies of the court of Portugal; since the treaty of Badajoz having been signed there by Lucien Buonaparte, the French plenipotentiary, and the Prince of Peace, on the one side, and by the Portuguese Plenipotentiary on the other, the French Government refused to ratify it, and forced Portugal to sign a new treaty at Madrid, with much harder conditions, without being able to assign any other motives than its caprice and ambition. This latter treaty was signed almost at the same time with the treaty of London, between England and France, which moderated some conditions, too oppressive to Portugal, and fixed the limits of the coast of South America, which was confirmed by the peace of Amiens: and this consideration of England for its ancient ally was, in the eyes of France, a new proof of the servitude and bondage in which the English government held that of Portugal.

No sooner was the treaty of 1801 concluded, than the court of Portugal hastened to fulfil all its burdensome conditions, and to shew, by the religious and punctual observation of all its engagements, how much it desired to confirm the good understanding which was re-established between the two governments, and which ought to cause to be forgotten all the injuries it had suffered, and which certainly had never been provoked on its part. The conduct of the French government was very different; as, from the first moment that peace was re-established, it required all kind of unjust sacrifices, on the part of the Portuguese government, in favour of the most extravagant and unfounded pretensions of French subjects. Europe ought then to have foreseen that its subjugation, from Lisbon to Petersburgh, was determined in the cabinet of the Thuilleries, and that it was necessary to combine to level the Colossus with the ground, or submit to be his victim.

After a short interval, war broke out anew between England and France; and the court of Portugal having made the greatest sacrifices

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to avoid war, and the harsh and humiliating propositions of the French government, thought itself fortunate to be able to conclude, with the greatest sacrifices of money, the treaty of 1804, in which France promised, in the sixth article, as follows:—

"The First Consul of the French republic consents to acknowledge the neutrality of Portugal during the present war, and not to oppose any measures that may be taken with respect to the belligerent nations, agreeably to the principles and general laws of neutrality."

The French government from that time received all the advantages of such a treaty: it never had occasion to make the smallest complaint against the Portuguese government; yet was it during the same war, and after such a stipulation, that it required of the court of Portugal, not only the infraction of the neutrality, but the declaration of war, in violation of all the treaties that had existed between the two countries, and in which, in the case of war acknowledged possible, it was determined how the subjects of the two nations should be treated; and all this without Portugal having any cause of complaint against the British government, which had even given it every kind of satisfaction, when the commanders of its ships of war had failed in that respect which was due to a neutral flag.

The Emperor of the French, in the mean time, caused one of his squadrons, on board of which was his brother, to put to sea. It anchored in the bay of All-Saints, where it was received with every kind of respect, and was supplied with all sort of refreshment. Yet what is worthy of attention is, that at the very time the French government received, on the part of that of Portugal, so many marks of friendship and consideration, the squadron burned some Portuguese vessels, to conceal its route, with a promise of indemnity to the proprietors; which promise was never performed. Europe may hence conclude the fate which awaits it, should the French government acquire an ascendency by sea equal to that it has obtained by land, and may properly estimate the foundation of the complaints it so loudly utters against the British government. England never made any remonstrances against the succours granted to the French squadron, for they were within the acknowledged limits of the law of nations. But the minister of foreign relations of France has dared to assert, in the face of Europe, that Portugal gave assistance to the English for the conquest of Monte Video and Buenos Ayres; while it is a fact, known by all the world, that that expedition, which sailed from the Cape of Good Hope, received from Portugal neither vessels, money, nor men; nor, in fine, any merchandise considered as contraband in time of war; and that the English squadrons, during this war, obtained nothing at Rio de Janeiro, or the other ports of the Brazils, except what is not refused to any nation, and which had been supplied plentifully to the French squadron. The court of Portugal defies the court of France to produce any fact in contradiction to this assertion, which is founded in the most exact and impartial truth.

France received from Portugal, from 1804 to 1807, all the colonial commodities and raw materials for her manufactures. The alliance of England and Portugal was useful to France; and in the depression suffered by the arts and industry, in

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consequence of a perpetual war by land, and a disastrous war by sea, in which he only met with defeats, it was certainly a great advantage to France, that the commerce of Portugal should suffer no interruption; undoubtedly it was equally useful to both countries. By ravaging Portugal, by subjecting her to excessive contributions, in an unheard-of manner, without war, or any resistance having been made on her part, France has not obtained that advantage which a commerce useful to both countries would have procured to her.

The court of Portugal might then justly, and with every kind of foundation, flatter itself that that of the Thuilleries would respect a neutrality which it had acknowledged by a solemn treaty, and from which it derived such decided advantages, when it was awaked from its security, in the month of August, 1806, by a formal declaration of the minister of state for foreign relations, M. Talleyrand, to Lord Yarmouth, by which the former notified to the latter, that if England did not make a maritime peace, the French government would declare war against Portugal, and order that country to be occupied by 30,000 men. It was not with 30,000 men that the invasion of Portugal could be effected; but the Emperor of the French, who knew the security in which Portugal found herself, in consequence of the treaty of neutrality, thought he could take her by surprise; and this was sufficient to justify his proceedings. The court of England was alarmed by the above declaration, and proposed and offered to that of Portugal all kind of succour; but France, which at that period had arranged every thing to crush the Prussian court, (which then alone bid defiance to the superior power of the Emperor of the French, while, a twelvemonth before, it would not attack, and, perhaps, compel him to receive the law, and save Europe, jointly with Russia and Austria,) found means to pacify the court of Portugal, which he then chose to spare, and could not conceive that a similar perfidy could be the attribute of a power whose greatness should keep pace with that integrity and those dignified sentiments which suit so well an exalted rank.

The war which was afterwards continued with Russia, and which might yet perhaps have saved Europe, if the union of the governments which divide it had been as close as it should have been, still retarded the execution of the views of the Emperor of the French with regard to the court of Portugal; and it was only by concluding the peace of Tilsit that the court of the Thuilleries, in a dictatorial tone, such as might have become Charlemagne, addressing the princes whose sovereign lord he was, caused the strange demands to be made to the court of Portugal, through the medium of the French *charge d'affaires*, and by the Spanish ambassadors—1st, To shut up the ports of Portugal against England; 2d, To detain all Englishmen who reresided in Portugal; and 3d, To confiscate all English property; or, in case of refusal, to expose itself to an immediate war with France and Spain, because the French *charge d'affaires*, and the ambassador of Spain, had orders to depart on the 1st Sept., about three weeks after the said proposal was made, in case the court of Portugal should not comply with all the pretensions of the two courts. The good faith of the French government is no less remarkable with

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regard to the celerity with which, after having made that declaration, and without waiting for the answer of the court of Portugal, it ordered all Portuguese merchant-ships to be detained, which were in the ports of France, and by that measure actually began hostilities, without any previous declaration of war, and thus carried a far greater length all the proceedings which formed its continued topic of reproach against England; which, after such a conduct, will be justly valued.

The court of Portugal might then well have adopted the known maxim of the Romans, and, being convinced that disgraceful conditions frequently saved those who refuse them, and brought destruction upon those by whom they were proposed; but, on the one side, it could not believe that the court of the Thuilleries made in earnest proposals which committed both its honours and its dignity; and, on the other side, it hoped to ward off the storm, desirous of sparing the blood of its people; and placing implicit confidence in the friendship of his Britannic majesty, its old and faithful ally, it endeavoured to render the pretensions of the French government more moderate, by acceding to the shutting up of the ports, and refusing the two other articles, as contrary to the principles of the public law, and to the treaties which subsisted between the two nations: and his royal highness the Prince Regent of Portugal had no hesitation to declare, that those articles wounded equally his religion and the principles of morality, from which he never deviates; and which are, perhaps, the true cause of the unshaken fidelity which he has experienced on the part of his subjects.

The court of Portugal then began to adopt measures for securing its retreat to that part of the Portuguese dominions which is not exposed to any invasion, the consequences of which might create alarm. For this purpose, it ordered all such ships of war as were fit to keep the sea to be fitted out, and also directed all the English to leave its dominions, and sell their property; with an intention to shut the ports against England, in order thus to avoid an effusion of the blood of its subjects, which would probably have proved useless, and to endeavour to comply with the views of the Emperor of the French, in case he should not allow himself to be softened down by that justice with which the court of Portugal asserted the rights of its independence, along with those which resulted from the treaty of neutrality concluded in 1804. The court of the Thuilleries, unwilling to agree to any conciliatory measures, and having demanded not only the shutting up of the ports, but also the imprisonment of all British subjects, the confiscation of their property, and the dereliction of the project to retreat to America, his royal highness the Prince Regent of Portugal, who knew, on the one side, that his Britannic Majesty, his true and old ally, informed of all the transactions which were going on, would consent to the shutting up of the ports, in order to save Portugal from the invasion of the French, and who was convinced, on the other side, that there was no longer any Englishman in Portugal who was not naturalised in that country, and that all English property had been sold, and even its amount exported, adopted the resolution to shut up the ports against England, and even to comply with the rest of the demands and preten-

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sions of France; declaring, however, at the same time, that, should the French troops enter Portugal, his royal highness was firmly resolved to remove the seat of government to Brazil, which formed the most important and best defended part of his dominions. His royal highness then ordered the whole of his army to move to the coast and sea-ports; supposing that as France had essentially obtained all she demanded, she had nothing more to ask; confiding in that good faith which ought to be considered as the fundamental principle in every government which has ceased to be revolutionary; and feeling conscious that having done every thing in his power to secure the tranquillity of his people, and avoid an useless effusion of blood, he had fulfilled all the duties of a virtuous prince, adored by his subjects, and who to the Supreme Being alone has to account for his actions.

The French government there observed a line of conduct towards his royal highness and his dominions which would be unprecedented in history, were not the invasion of Switzerland by France, in the time of the Executive Directory, of a similar description. General Junot, without any previous declaration, without the consent of the Prince Regent of Portugal, entered the kingdom with the vanguard of his army, assuring the people of the country through which he marched that he was going to succour his royal highness against an invasion of the English, and that he entered Portugal as the general of a friendly and allied power. He received, on his journey, convincing proofs of the good faith of the Portuguese government; for he witnessed the perfect easiness which prevailed with regard to France, and that all the Portuguese troops were near the coast. His royal highness the Prince of Portugal, surprised in such an extraordinary manner, might have rallied around him the body of troops which were at a small distance from him, caused the English fleet to enter the port of Lisbon, and thus cut to pieces the small and miserable corps with which General Junot was advancing, with a degree of temerity which would have been ridiculous, had not General Junot, whose conduct at Venice and Lisbon has but made him too well known, relied on the feelings of a virtuous prince, who would never expose his people to the most dreadful of calamities by a sure first success, which only could have served to chastise the audacity of a man, who, like many others, abused the power with which he was entrusted, or who acted in pursuance of orders which cannot be justified.

His royal majesty the Prince Regent then adopted the only measure which could suit his situation, according to the principle which he had constantly followed, to save the blood of his people, and in order to prevent the criminal plan of the French government from being carried into execution, which had nothing less in view than to secure his royal person and the whole royal family, in order to divide, at its own will and pleasure, the spoils of the crown of Portugal and the Portuguese dominions. Providence seconded the efforts of a just prince; and the magnanimous resolution which his royal highness adopted, to retire, with his august royal family, to Brazil, disconcerted at once the efforts of the French government, and exposed, in the clearest

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light, in the face of Europe, the criminal and treacherous views of a government which aims at the universal domination of all Europe, and of the whole world, if the great European powers, roused from the lethargic stupor into which they are sunk, do not make common cause vigorously to oppose an ambition so immoderate and excessive.

Since his royal highness's safe arrival in his dominions in Brazil, he has learned, with horror, not only the usurpation of Portugal, and the pillage and plunder practised in that country, but also the shameful proceeding of the Emperor of the French, who, as the true dictator of Europe, dares to represent it as a crime of his royal highness's, that he has removed his seat of government to Brazil; and in his faithful subjects who followed him, to have accompanied a prince whom all his people revere, still more on account of his virtues than of the rights of his august royal family, which he has inherited, and by virtue of which he reigns over them. His royal highness has witnessed with horror the hardihood with which an attempt has been made, in an official paper, to proscribe the rights of his august royal family to the crown of Portugal, with which he will never part; and he is entitled to demand of the Emperor of the French, from what code of the law of nations he has drawn similar principles, and received such an authority; claiming to this subject the most serious consideration of all European powers, who cannot see with indifference what has here been stated, and the introduction of a new government in Portugal, without his consent, as well as the raising of an exorbitant contribution, demanded from a country which opposed no kind of resistance to the entry of the French troops, and which, on this very ground, could not consider itself as being at war with France.

The most remote posterity, as well as impartial Europe, will see, with grief, similar transactions the forerunners of ages of barbarism and misery, such as those which followed the downfal of the Roman empire, and which cannot be avoided, unless exertions be made to restore the equipoise of Europe, by an unanimous effort, and with a total oblivion of all ideas of rivalship, which have hitherto been the true causes of the elevation of that monstrous power which threatens to swallow up all.

After this correct and true statement, made by his royal highness the Prince Regent of Portugal to Europe and to his subjects, of every thing which has taken place between the Portuguese and French government; and, as the Emperor of the French has not only invaded Portugal, and laid that country under the most dreadful and almost incredible contributions, under the cloak of friendship, but has also long ago withdrawn his embassy from his royal highness's court, and even caused Portuguese merchant ships to be seized, which were in his ports, without any previous declaration of war, and contrary to an express article of the treaty of neutrality, from which he derived the greatest advantages: and, lastly, declared war against him, according to the report of the minister for foreign affairs; his royal highness, after having resigned his cause into the hands of the Almighty, whom he has every right to invoke in so just a cause, thinks it due to his rank, and to the

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dignity of his crown, to make the following declaration:—

His royal highness breaks off all communication with France, recalls all the members of his embassy, if any should yet remain, and authorises his subjects to wage war, by sea and land, against the subjects of the Emperor of the French.

His royal highness declares null and void all the treaties which the Emperor of the French has compelled him to conclude, and in particular those of Badajoz and Madrid, in 1801, and that of neutrality in 1804, because he has violated, and never respected them.

His royal highness shall not lay down his arms, unless in concert with his Britannic majesty, his old and faithful ally, and will never agree to a cession of Portugal, which forms the most ancient part of the inheritance and of the rights of his august royal family.

When the Emperor of the French shall have satisfied, in every point, the just claim of his royal highness the Prince Regent of Portugal, and shall have relinquished the dictatorial and imperious tone in which he lords it over oppressed Europe; and when he shall have restored to the crown of Portugal all he has invaded in the midst of peace, and without the least provocation, his royal highness will avail himself of the earliest opportunity to renew the connection which has always subsisted between the two countries, and which ought to exist between nations which will never be divided but by the principles of an inordinate ambition, which, according to the experience of ages have also proved destructive to the welfare and tranquillity of all nations by which they were adopted.

Rio Janeiro, May 1, 1808.

No. 36.—*Reports of the Minister of Foreign Affairs relative to Portugal, published in the Moniteur of January* 24, 1808.

First Report, Oct. 21, 1807.—"There is no sovereign in Europe who does not acknowledge that if his territory, his jurisdiction should be violated, to the detriment of your majesty, he would be responsible for it. If a French ship were seized in the port of Trieste or Lisbon, the government of Portugal and the sovereign to whom Trieste belongs would have to consider that violence and damage done to your majesty's subjects as a personal outrage: they could not hesitate to compel England, by force, to respect their territory and their ports: if they adopted a contrary conduct, if they became accomplices of the wrong done by England to your subjects, they would place themselves in a state of war with your majesty. When the Portuguese government suffered its ships to be visited by English ships, its independence was as much violated by its own consent, by the outrage done to its flag, as it would have been had England violated its territory and its ports. The enemy ought to be placed in a state of interdict, in the midst of the seas, of which he pretends to reserve to himself the empire. In this position, all the powers could, and ought to expect from each other a mutual support. And at what moment did Portugal betray the cause of the Continent? Ought England to expect still to have an ally, when, exercising her violence on every sea, she menaced the new world as well as the old; attacked, without any motive for aggression, the flag of the Americans, and dyed their own shores

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with their blood; when, scandalously famous by the disasters of Copenhagen, which she surprised in the midst of peace, she sought, in the pillage of her arsenals, for a few sad and bloody spoils. But the scandal of this understanding between the Portuguese government and England may be traced to other times. When England meditated, in 1806, the rekindling in Europe that war which your majesty has so gloriously terminated, she sent a fleet to Lisbon. The ministers had conferences: time has developed the object and the result. Have not the English squadrons, sent to the river Plata, touched at Janeiro? Did not the troops sent to Buenos Ayres and Monte Video receive provisions from the Brazils? These distant succours may have escaped the attention of Europe; but she saw Portugal receive and victual in her ports the English ships destined to blockade Cadiz, to attack Constantinople and Egypt; those which were to land troops in Naples, to stir up revolt; those which were to introduce English merchandise upon all the coasts of the Mediterranean, though Portugal knew that all the ports in the south were shut against them. A French consul, whom Portugal had acknowledged and admitted to the exercise of his functions in the port of Faro, has been taken from his house by the intendant of the customs, sent to prison, taken out only to be exiled; and the Portuguese government refused for three months to repair that outrage. Protestations of neutrality ill concealed this hostile conduct. The court of Lisbon should have explained itself without shuffling. Your majesty proposed to it to accede to the system of the Continent; and had it done so, you would have forgotten every thing. Far from deferring to your majesty's proposals, the Portuguese government had no other solicitude than that of informing the court of London, of tranquillising England relative to her interests, of guaranteeing the safety of the English, and of their property in Portugal It had neither protected the French nor their commerce: the persons and trade of their enemies have continued free and favoured. Portugal promised to join the cause of the Continent, even to declare war against England; but she wished to make it, if I may use the expression, in concert with her, to furnish her, under the appearance of hostility, with the means of continuing her trade with Portugal, and through Portugal with the rest of Europe; a kind of war equivalent to a perfidious neutrality. Succours were demanded of England; and, to gain time, attempts were made to deceive your majesty by vain declarations: scruples were alleged upon some of the consequences of the war, when none were entertained upon war itself, which breaks all ties. In vain did your majesty, deigning to condescend to these pretended scruples, modify your first demands—the same refusals were renewed—Portugal made promises, but delayed the execution, under different pretexts. At one time, it was the prince of Beira, a child of twelve years, who was to be sent to the Brazils, to defend that colony—at another time, it was a squadron expected from the Mediterranean, which it was wished to have in safety in the Tagus. Thus Portugal, embarrassed by her own artifices, making with the court of London engagements, real and useful to the English—with France,

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vague and pretended engagements —waited for succours and advice from England, sought to delay the measures of the cabinet, and, humiliating herself before both, blindly committed to the chance of events the interests, perhaps the existence of a nation which unanimously desired her not to give them up to a power so fatal to all its allies. The epoch which your majesty had fixed for the expected determination, which you had consented to prolong for a month, arrived: Portugal decided her own fate; she broke off her last connections with the Continent, by reducing the French and Spanish legations to the necessity of quitting Lisbon. Portugal has placed herself in a state of war with France, notwithstanding the benevolent disposition of your majesty towards her. War with Portugal is a painful but necessary duty. The interest of the Continent, from whence the English ought to be excluded, forces your majesty to declare it. Longer delay would only place Lisbon in the hands of the English."

Second Report, Jan. 2, 1808.—"His excellency recalls to the recollection of his majesty, how necessary were the active and vigilant measures which have been taken, and so well seconded, by the rapidity of the march of the French troops. Portugal only sequestered the English goods, when the English were secure from that measure, which Portugal did not even affect to execute. She concerted her evasion with the English; and, a little while before we received the news of it, a courier had carried to Italy, where the emperor then was, new protestations of attachment to the common cause of the Continent. He announced the return of M. de Lema, who had quitted Lisbon, and the arrival of the ambassador-extraordinary, M. de Marialva, probably the dupe, as was the courier, of the bad faith of her court. Portugal is at length delivered from the yoke of England: your majesty occupies it with your troops: it had been left defenceless on the sea side, and a part of the cannon on her coasts had been spiked. Thus England menaces her at present, blockades her ports, and would lay waste her shores. Spain has had fears for Cadiz—she has had fears for Ceuta. It is against that part of the world that the English appear to wish to direct their secret expeditions. They have embarked troops at Gibraltar; they have recalled from that quarter those which had been driven from the Levant, and a part of those which they had accumulated in Sicily. Their cruizers on the coast of Spain become more vigilant, snd seem to wish to revenge upon that kingdom the reverses they have experienced in the Spanish colonies. All the peninsula deserves to fix particularly the attention of your majesty."

Report of the Minister of War, on the measures taken by France on the present circumstances, 6th January.

"Your majesty ordered me to form the first and second corps of observation of the Gironde. The first of those corps, commanded by General Junot, has conquered Portugal. The head of the second is ready to follow the first, if circumstances require it. Your majesty, whose vigilance is never at fault, wished the corps of observation of the ocean confided to Marshall Moncey, to be in the third line. The necessity of shutting the ports

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of the Continent against our irreconcileable enemy, and of having upon every point of attack considerable means, in order to profit by any of the fortunate circumstances which may present themselves, to carry the war into the heart of England, Ireland, and the Indies, may render the levy of the conscription of 1809 necessary. The party which rules at London has proclaimed the principle of eternal war; and the expedition to Copenhagen has revealed its criminal intentions. Though the indignation of all Europe has been excited against England—though at no period has France had such numerous armies—it is not sufficient: it is necessary that English influence should be attacked every where where it exists, till the moment in which the sight of so many dangers shall induce England to drive from her councils the oligarchs who direct them, and to confide the administration to wise men, capable of conciliating the love and interest of their country with the love and interest of the human race. A vulgar policy would have made your majesty disarm, but such a policy would be a scourge to France, and render imperfect the great results you have prepared. Yes, sire, your majesty, far from diminishing your arms, ought to augment them, till England shall have acknowledged the independence of all powers, and restored to the seas that tranquillity which your majesty has ensured to the Continent. Undoubtedly your majesty must suffer in requiring from your people fresh sacrifices, and in imposing new obligations on them; but you ought also to yield to the cry of all the French:—"No repose till the sea be free, and a just peace shall have re-established France in the most just, the most useful, and the most necessary of her rights."

No. 37.—*Just Memorial which the Representatives of the Royal House of Spain, Donna Carlota Juaquina de Bourbon, Princess of Portugal and Brazil, and Don Pedro Carlos de Bourbon y Braganza, Infant of Spain, address to his Royal Highness the Prince Regent of Portugal, that he may deign to attend to, protect, and preserve the sacred rights which their August House has to the Throne of Spain and the Indies; which Throne the Emperor of the French, by means of an abdication or renunciation, executed under the most atrocious and detestable violence, has recently torn from the hands of the King, Don Carlos IV., and their Royal Highnesses the Prince of Asturias, and the Infants, Don Carlos and Don Antonio.*

"The melancholy accounts received from Spain, respecting the occupation of the capital and principal posts by the French, the declared enemies of the Crown of Portugal, and not less hostile in their conduct to that of Spain, deeply afflict us; inasmuch as we, at this moment, foresee the slavery of the faithful and generous Spanish nation, and the consequent ruin of the Throne of our ancestors.

"The irregular conduct of the Emperor of the French, and the unjust proceedings of his generals and other ministers, long since afforded us abundant motives to manifest those just feelings of resentment, which, at the time, we thought proper to stifle in silence; considering that the aid of our voice was not necessary to display the reason an justice of our cause, outraged b

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the despotism of an absolute and arbitrary power; but now that we are apprised of the perfidy with which, under the pretext of a friendly conference, the King, the head of our house, and the branches of our family in Spain, were persuaded to trust their persons in the hands of him who menaced their rights, ours, and those of all the subjects of the King of Spain—a perfidy by which they were forced to sign formal acts of abdication and renunciation, and individually carried out of the kingdom, to be confined in places already stained with the blood of other branches of our Royal Family—filled with horror at such proceedings, we think it our duty to implore the assistance of your Royal Highness, as our immediate natural Guardian and Protector; intreating your assistance against the propagation of this system of usurpation, which swallows up all the States of Europe, one after another; and soliciting your Royal Highness's interposition in favour of our House, that by your power and influence you may place us in a condition (as the nearest relatives of the King of Spain) to be able to preserve his rights, and stoutly to secure our own, by a junction of the Portuguese, Spanish, and English forces, in order to prevent the French from effecting, by means of their armies, the same acts of violence and subversion which they have committed over almost the whole extent of Europe.

"Your Royal Highness, in consideration of the state and condition in which our august Father and Uncle, with the rest of the family of our august House of Spain, cannot but approve of this our proceeding—a proceeding grounded on the fundamental principles and laws of the Spanish monarchy, from which we will never detach ourselves—a proceeding justified by the incontrovertible principles of divine and natural justice; and as such we expect that it will merit the approbation of our beloved uncle, the King of the Two Sicilies, that of his Royal Family, and that of all those personages who are chiefly interested therein. This proceeding we also consider as a measure expected by the members of our unhappy and unfortunate family, now in a state of constraint and oppression, removed from their kingdom, and, what is assuredly the most painful, torn from the bosom of their tenderly beloved subjects, the faithful, constant, and generous Spaniards.

"Such is the view of things which our dearly-beloved cousins and uncle, the Prince of Asturias and the Infants Don Carlos and Don Antonio, wished to convey to us, when, after describing the entrance of the French troops, and their superiority of numbers, they thus proceed:—

'In this state of things, their Royal Highnesses, reflecting on the situation in which they stand, and also the delicate circumstances wherein Spain is placed, considering that, in a crisis of such difficulty, any attempt on the part of the Spanish people to retrieve their rights would be pregnant rather with ruin than advantage, and could have no other result than that of producing torrents of bloodshed, and occasioning the certain loss of at least a great part of their provinces, and the whole of their transmarine colonies.'

"This style of expression appears to offer evident proofs, first, of the violence exercised towards the Princes, to make them write, but without permitting them to write all that they

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might wish, in order to manifest their real sentiments; secondly, that, perhaps, if Spain were not so circumstanced and occupied by a hostile army, they themselves would not think it useless in the inhabitants to make an attempt to recover their rights; thirdly, that if the transmarine colonies were reduced to a similar situation, they would be completely lost. And in these expressions we discover a tacit, but very obvious insinuation, addressed by them to us, and their most faithful countrymen still in a state of freedom, that we should all of us, with one consent, contribute to the defence and preservation of their rights.

"We are, therefore, firmly persuaded that this opinion will meet with the concurrence of our uncles in Sicily, and also that of all the other Members of our Royal Family, and all our fellow-countrymen who are free, and at a distance from such insults and oppressions.

"Rome, the depositary of our holy religion, is once more insulted, and in subjection to this arbitrary Power, the common disturber of Europe. In vain does his Holiness protest against the exile of the Most Eminent the Cardinals; in vain does he enjoin them not to stir until they are compelled by violence. He has no recourse but to complaints and lamentations, as we perceive from his note, signed by the most eminent the Cardinal Doria, which says, 'that such proceedings are manifestly directed to the subversion and destruction of the power of the church.'

"We are happy in being on this side of the Atlantic, inasmuch as we are neither subjected, nor in a condition of being subjected; if, banishing from us all party-spirit, we cultivate that perfect union and alliance which, in proportion as they identify our feelings, will also consolidate our resources, which are sufficient for the formation of a respectable force, fully adequate of itself to resist and repel any invasion, and to secure our interests, our liberty, and our lives, against the ambition of France.

"We cannot for an instant entertain a doubt of the loyalty and affection which, at all times, the inhabitants of the Americas have manifested towards our august house, and most particularly towards our dearly-beloved father, for whom they have so recently sacrificed their lives and properties, and given the highest proofs of their loyalty.

"Under this impression, and convinced that the misfortunes of our family will afflict their hearts with grief, which have ever taken an interest in the preservation of our rights, we trust, that, by means of the influence and assistance of your Royal Highness, a perfect alliance may be effected with the American subjects of the King of Spain, by which we shall easily be enabled to secure ourselves from the attacks of the enemy; while, by a measure so just and salutary, we shall also destroy the seeds of those family quarrels which incessantly arise between the subjects of the two kingdoms, and which always produce consequences to be lamented.

"With a view to the realization of our just and salutary intentions, we are desirous of having a secure opportunity to communicate them to the governors, tribunals, and other personages, being the lawful depositaries of the authority of our king and master, which we in no respect wish to alter or abridge, but, on the contrary, are anxious to preserve and defend it, against the power of

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the French. For this purpose, we trust that your Royal Highness will interest yourself with the admiral of our great and powerful Ally, the King of Great Britain, that he may dispose of his force so, that, without impairing the defence of your Royal Highness on the coast of the Brazils, it may also contribute to that of the coasts of the River Plate, and the other dominions of Spanish America, and that it may in no respect be prejudicial to the navigation and commerce which the inhabitants of those dominions carry on with this and the other ports of this principality. This protection, we have no doubt, will be immediately afforded to us by the generosity and noble character of the King of Great Britain and his powerful nation.

"We conclude with entreating that your Royal Highness may be pleased to place at our disposal all the necessary means for communicating our intention to the governors, civil and ecclesiastical authorities, in whom resides, in full vigour and force, the authority of our august King and Master, and to whose loyalty are consigned the rights of our royal House; which we are anxious to preserve inviolable, during the continuance of the misfortunes with which French ambition has oppressed our Royal Family of Spain.

"*Palace of Rio Janeiro, Aug.* 19, 1808.

(Signed)

"The Princess Donna CARLOTA JUAQUINA DE BOURBON.

"The Infant Don PEDRO CARLOS DE BOURBON Y BRAGANZA."

Reply of his Royal Highness the Prince Regent of Portugal, to the above Memorial.

"Your Royal Highnesses do me justice, in thinking me disposed to sustain your rights, and those of such Spaniards as are faithful to their crown and country. In the manifesto which I published on my arrival on this Continent, in which I might have expressed my just resentment for the conduct of the Spanish government, in allowing a passage to the French troops, and joining with them in the invasion of Portugal, I forebore doing so, and was rather solicitous to do justice to those sentiments of regret which all faithful Spaniards must have necessarily felt, on seeing themselves compelled to execute a measure so contrary to the interests of their Princes and their own safety.

"I entertained the greater confidence that the time would arrive when we should be able to unite as allies, for the purpose of mutual defence against such enormous and multiplied aggressions.

"I concur with your Royal Highnesses, that the time has now arrived for entering into such an union, in order to act against the common enemy; and I trust, that, in concert with my allies, among whom is to be reckoned Sicily, which must necessarily consider itself as such, we shall be able to oppose a barrier to the progress of the conquests which France may attempt to obtain over us. At least, I will, for my part, do every thing in my power to effect this salutary combination and alliance, which your Royal Highnesses have just proposed to me; and I am anxious that the Americans, satisfied that we are agreed as to the urgent necessity of protecting them, should unite their means with our forces, in order to give full and entire effect to the wishes by which I am actuated, of securing to them that peace and

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prosperity of which they are susceptible from their local situation.

"*Given at our Royal Palace, in the River Janeiro, under our Royal Seal, August* 19, 1808.

"PRINCE."

No. 38.—*Suspension d'Armes arretée entre Monsieur le Chevalier Arthur Wellesley, Lieutenant-General, et Chevalier de l'Ordre du Bain, d'une part, et Monsieur le General de Division Kellermann, Grand Officier de la Legion d'Honneur, Commandeur de l'Ordre de la Couronne de Fer, Grand Croix de l'Ordre du Lion de Bavière, de l'autre part; tous deux chargés de pouvoirs des Generaux respectifs des Armées Françaises et Anglaises.*

Au Quartier General de l'Armée Anglaise, le 22d Aout, 1808.

Art. I. Il y aura à date de ce jour une suspension d'armes entre les armées de sa majesté Britannique, et de sa majesté imperiale et royale Napoleon I. à l'effet de traiter d'une convention pour l'evacuation du Portugal par l'armée Française.

Art. II. Les generaux en chef des deux d'armées, et monsieur le commandant en chef de la flotte Britannique, à l'entrée du Tage, prendront jour pour se reunir dans tel point de la cote qu'ils jugeront convenable pour traiter et conclure la dite convention.

Art. III. La rivière de Sizandre formera la ligne de démarcation établie entres les deux armées; Torres Vedras ne sera occupé ni par l'une ni par l'autre.

Art. IV. Monsieur le general en chef de l'armée Anglaise s'obligera à comprendre les Portugais armées dans cette suspension d'armes, et pour eux la ligne de démarcation sera établie de Leira à Thomar.

Art. V. Il est convenu provisiorement que l'armée Française ne pourra dans aucun cas etre consideré comme prisonniérs de guerre, que tous les individus qui la composent seront transportés en France avec armes et bagages, leurs proprietés particuliers quelconques, dont il ne pourra leur etre rien distrait.

Art. VI. Tout particulier, soit Portugais, soit d'une nation alliée à la France, soit Français, ne pourra etre recherché pur sa conduite politique; il sera protégé, ses proprietés respectées, et il aura la liberté de se retirer du Portugal dans un terme fixé avec se qu'il lui appartient.

Art. VII. La neutralité du port de Lisbonne sera reconnue pour la flotte Russe, c'est à dire, que lorsque l'armée ou la flotte Anglaise seront en possession de la ville et du port; la dite flotte Russe, ne pourra etre ni inquietée pendant son sejour, ni arretée quand elle voudra sortir, ni poursuivie lorsqu'elle sera sortie, qu'apres les delais fixés par les lois maritimes.

Art. VIII. Tout l'artillerie du calibre Français, ainsi que les chevaux de la cavalerie, seront transportés en France.

Art. IX. Cette suspension d'armes ne pourra etre rompue qu'on ne se soit prevenu quarante huit heures d'avance.

Fait et arreté les generaux designés c'y dessus, au jour et an c'y dessus.

(Signée) ARTHUR WELLESLEY.
KELLERMANN,
Le general de division.

Article additionel.—Les garrisons des places occupées par l'armée

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Française seront comprises dans la presente convention, si elle n'ont point capitulé avant le 25 du courant.

(Signée) ARTHUR WELLESLEY.
KELLERMANN,
Le general de division.

(A true copy.) A. J. DALRYMPLE,
Capt. Military Sec.

No. 39.—*Definitive Convention for the Evacuation of Portugal by the French army.*

The generals commanding in chief the British and French armies in Portugal having determined to negociate and conclude a treaty for the evacuation of Portugal by the French troops, on the basis of the agreement entered into on the 22d instant, for a suspension of hostilities, have appointed the undermentioned officers to negociate the same in their names, viz.—on the part of the general in chief of the British army, Lieut.-colonel Murray, quarter-master-general; and on the part of the general in chief of the French army, Monsieur Kellermann, general of division, to whom they have given authority to negociate and conclude a convention to that effect, subject to their ratification respectively, and to that of the admiral commanding the British fleet at the entrance of the Tagus.

These two officers, after exchanging their full powers, have agreed upon the articles which follows:—

Art. I. All the places and forts in the kingdom of Portugal, occupied by the French troops, shall be delivered up to the British army, in the state in which they are at the period of the signature of the present convention.

Art. II. The French troops shall evacuate Portugal with their arms and baggage; they shall not be considered as prisoners of war, and, on their arrival in France, they shall be at liberty to serve.

Art. III. The English government shall furnish the means of conveyance for the French army, which shall be disembarked in any of the ports of France between Rochefort and l'Orient inclusively.

Art. IV. The French army shall carry with it all its artillery of French calibre, with the horses belonging to it, and the tumbrils, supplied with sixty rounds per gun. All other artillery, arms, and ammunition, as also the military and naval arsenals, shall be given up to the British army and navy, in the state in which they may be at the period of the ratification of the convention.

Art. V. The French army shall carry with it all its equipments, and all that is comprehended under the name of property of the army; that is to say, its military chest, and carriages attached to the field commissariat and field hospitals, or shall be allowed to dispose of such part of the same, on its account, as the commander in chief may judge it unnecessary to embark. In like manner, all individuals of the army shall be at liberty to dispose of their private property, of every description, with full security hereafter for the purchasers.

Art. VI. The cavalry are to embark their horses, as also the generals and other officers of all ranks. It is, however, fully understood that the means of conveyance for horses, at the disposal of the British commanders, are very limited: some additional conveyance may be procured in the port of Lisbon. The number of horses to be embarked by the troops shall not exceed six hundred, and the number embarked by the staff shall not exceed two hundred.

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At all events, every facility will be given to the French army to dispose of the horses belonging to it which cannot be embarked.

Art. VII. In order to facilitate the embarkation, it shall take place in three divisions, the last of which will be principally composed of the garrisons of the places, of the cavalry, the artillery, the sick, and the equipment of the army.—The first division shall embark within seven days of the date of the ratification, or sooner, if possible.

Art. VIII. The garrison of Elvas, and its forts, and of Peniche and Palmella, will be embarked at Lisbon; that of Almeida at Oporto, or the nearest harbour. They will be accompanied on their march by British commissaries, charged with providing for their subsistence and accommodation.

Art. IX. All the sick and wounded who cannot be embarked with the troops are entrusted to the British army. They are to be taken care of whilst they remain in this country, at the expence of the British government, under the condition of the same being reimbursed by France when the final evacuation is effected. The English government will provide for their return to France, which shall take place by detachments of about one hundred and fifty, or two hundred men at a time. A sufficient number of French medical officers shall be left behind to attend them.

Art. X. As soon as the vessels employed to carry the army to France shall have disembarked it in the harbours specified, or in any other of the ports of France to which stress of weather may force them, every facility shall be given them to return to England without delay, and security against capture until their arrival in a friendly port.

Art. XI. The French army shall be concentrated in Lisbon, and within a distance of about two leagues from it. The English army will approach within three leagues of the capital, and will be so placed, as to leave about one league between the two armies.

Art. XII. The forts of St Julien, the Bugio, and Cascais, shall be occupied by the British troops on the ratification of the convention. Lisbon and its citadel, together with its forts and batteries, as far as the Lazaretto or Trifurio on one side, and Fort St Joseph on the other, inclusively, shall be given up on the embarkation of the second division, as shall also the harbour, and armed vessels in it, of every description, with their rigging, sails, stores, and ammunition. The fortresses of Elvas, Almeida, Peniche, and Palmella, shall be given up as soon as the British troops can arrive to occupy them. In the mean time, the general in chief of the British army will give notice of the present convention to the garrisons of those places, as also to the troops before them, in order to put a stop to all further hostilities.

Art. XIII. Commissaries shall be named on both sides, to regulate and accelerate the execution of the arrangements agreed on.

Art XIV. Should there arise doubts as to the meaning of any article, it will be explained favourably to the French army.

Art. XV. From the date of the ratification of the present convention, all arrears of contributions, requisitions, or claims whatever, of the French government, against the subjects of Portugal, or any other

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individuals residing in this country, founded on the occupation of Portugal by the French troops in the month of December, 1807, which may not have been paid up, are cancelled; and all sequestrations laid upon their property, moveable or immoveable, are removed, and the free disposal of the same is restored to the proper owners.

Art. XVI. All subjects of France, or of powers in friendship or alliance with France, domiciliated in Portugal, or accidentally in this country, shall be protected; their property of every kind, moveable and immoveable, shall be respected; and they shall be at liberty either to accompany the French army, or to remain in Portugal. In either case, their property is to be guaranteed to them, with the liberty of retaining or disposing of it, and passing the produce of the sale thereof into France, or any other country where they may fix their residence, the space of one year being allowed them for that purpose.—It is fully understood that shipping is excepted from this arrangement, only, however, in so far as regards leaving the port, and that none of the stipulations above-mentioned can be made the pretext of any commercial speculation.

Art. XVII. No native of Portugal shall be rendered accountable for his political conduct during the period of the occupation of this country by the French army; and all those who have continued in the exercise of their employments, or who have accepted situations under the French government, are placed under the protection of the British commanders: they shall sustain no injury in their persons or property, it not having been at their option to be obedient, or not, to the French government: they are also at liberty to avail themselves of the stipulations of the 16th article.

Art. XVIII. The Spanish troops detained on board ship in the port of Lisbon shall be given up to the commander in chief of the British army, who engages to obtain of the Spaniards to restore such French subjects, either military or civil, as may have been detained in Spain, without being taken in battle, or in consequence of military operations, but on occasion of the occurrences of the 29th of last May, and the days immediately following.

Art. XIX. There shall be an immediate exchange established for all ranks of prisoners made in Portugal since the commencement of the present hostilities.

Art. XX. Hostages, of the rank of field officers, shall be mutually furnished on the part of the British army and navy, and on that of the French army, for the reciprocal guarantee of the present convention. The officer of the British army shall be restored on the completion of the articles which concern the army, and the officer of the navy on the disembarkation of the French troops in their own country. The like is to take place on the part of the French army.

Art. XXI. It shall be allowed to the general in chief of the French army to send an officer to France with intelligence of the present convention. A vessel will be furnished by the British admiral to convey him to Bourdeaux or Rochefort.

Art. XXII. The British admiral will be invited to accommodate his excellency the commander in chief, and the other principal officers of the French army, on board of ships

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of war.—Done and concluded at Lisbon, this 30th day of August, 1808.

(Signed) GEORGE MURRAY,
Quarter-master-general.
KELLERMANN,
Le general de division.

Additional articles to the convention of the 30th of August, 1808.

Art. I. The individuals in the civil employment of the army, made prisoners, either by the British troops or by the Portuguese, in any part of Portugal, will be restored, as is customary, without exchange.—II. The French army shall be subsisted from its own magazines up to the day of embarkation; the garrisons up to the evacuation of the fortresses. The remainder of the magazines shall be delivered over in the usual form to the British government, which charges itself with the subsistence of the men and horses of the army from the above mentioned periods till their arrival in France, under the condition of their being reimbursed by the French government, for the excess of the expence beyond the estimation to be made by both parties of the value of the magazines delivered up to the British army. The provisions on board the ships of war in possession of the French army will be taken in account by the British government, in like manner with the magazines in the fortresses. —III. The general commanding the British troops will take the necessary measures for re-establishing the free circulation of the means of subsistence between the country and the capital.—Done and concluded at Lisbon, this 30th day of August, 1808.

(Signed) GEORGE MURRAY,
Quarter-master-general.
KELLERMANN,
Le general de division.

Nous Duc d'Abrantes, géneral en chef de l'armée Française, avons ratifié et ratifions, les articles additionels à la convention et contre, pour autre executés suivant leur forme et teneur.

LE DUC D'ABRANTES.

(A true copy.)
A. J. DALRYMPLE,
Captain, military secretary.

No. 40—*Articles of a Convention entered into between Vice-Admiral Sir Charles Cotton, for the surrender of the Russian Fleet.*

Art. I. The ships of war of the Emperor of Russia now in the Tagus shall be delivered up to Admiral Sir Charles Cotton immediately, with all their stores, as they now are, to be sent to England, and there held as a deposit by his Britannic majesty, to be restored to his imperial majesty within six months after the conclusion of a peace between his Britannic majesty and the Emperor of all the Russias.

Art. II. Vice-admiral Siniavin, with the officers, sailors, and marines under his command, to return to Russia, without any condition or stipulation respecting their future services; to be conveyed thither in men of war, or proper vessels, at the expence of his Britannic majesty.

Done and concluded on board the ship Twerday, in the Tagus, and on board his Britannic majesty's ship Hibernia, off the mouth of that river, the 3d day of September, 1808.

(Signed) DE SINIAVIN.
(Signed) CHARLES COTTON.
(Counter-signed) by command of the admiral, L. SASS, assesseur de college.
(Counter-signed) by command of the admiral, JAMES KENNEDY, secretary.

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List of the ships referred to in the foregoing convention.

Twerday, Vice-admiral Siniavin, Captain du ier rang Malayoff, of 74 guns, and 736 men. Skoroy, Captain du ier rang Schelling, of 60 guns, and 524 men. St Helene, Captain du 2d rang Bitchenskoy, of 74 guns, and 598 men. S. Cofael, Captain du 2d rang Roshnoff, of 74 guns, and 610 men. Ratvizan, Captain du 2d rang Rtishchoff, of 66 guns, and 549 men. Silnoy, Captain-lieutenant Malygruin, of 74 guns, and 604 men. Motchnoy, Captain-lieutenant Rosvosoff, of 74 guns, and 629 men. Rafael, Captain-lieutenant Bytchenskoy, of 80 guns, and 646 men. Fregatte Kilduyn, Captain-lieutenant Dournoff, of 26 guns, and 222 men. Yarrowslaval, Captain du 2d rang Milkoff, of 74 guns, and 567 men.—Total 5685 men.

(Signed) MALIVJEFF,
Capitaine de pavilion.

No. 41.—OVERTURES FROM RUSSIA AND FRANCE.

No. I.—*Letter from Count Nicolas de Romanzoff to Mr Secretary Canning, dated Erfurth, 30th Sep.* (*12th Oct.*) 1808.

SIR,—I send to your excellency a letter, which the emperors of Russia and France write to his majesty the king of England. The emperor of Russia flatters himself that England will feel the grandeur and the sincerity of this step. She will there find the most natural and the most simple answer to the overture which has been made by Admiral Saumarez. The union of the two emperors is beyond the reach of all change, and the two emperors have formed it for peace as well as for war.

His majesty has commanded me to make known to your excellency, that he has nominated plenipotentiaries, who will repair to Paris, where they will await the answer which your excellency may be pleased to make to me. I request you to address it to the Russian ambassador at Paris. The plenipotentiaries named by the emperor of Russia will repair to that city on the Continent to which the plenipotentiaries of his Britannic majesty and his allies shall have been sent. In respect to the basis of the negociation, their imperial majesties see no difficulty in adopting all those formerly proposed by England, namely, the *uti possidetis*, and every other basis founded upon the reciprocity and equality which ought to prevail between all great nations.—I have the honour to be, with sentiments of the highest consideration, &c.

COUNT N. DE ROMANZOFF.

No. II.—*Letter from his Majesty the Emperor of all the Russias, and Buonaparte, to his Majesty. Erfurth, 12th Oct.* 1808.

SIRE,—The present circumstances of Europe have brought us together at Erfurth. Our first thought is to yield to the wish and wants of every people, and to seek, in a speedy pacification with your majesty, the most efficacious remedy for the miseries which oppress all nations. We make known to your majesty our sincere desire in this respect by the present letter.

The long and bloody war which has torn the Continent is at an end, without the possibility of being renewed. Many changes have taken place in Europe; many states have been overthrown. The cause is to be found in the state of agitation and misery in which the stagnation of maritime commerce has placed the greatest nations. Still greater chan-

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ges may yet take place, and all of them contrary to the policy of the English nation. Peace, then, is at once the interest of the people of the Continent, as it is the interest of the people of Great Britain!

We unite in entreating your majesty to listen to the voice of humanity, silencing that of the passions; to seek, with the intention of arriving at that object, to conciliate all interests, and by that means to preserve all the powers which exist, and to insure the happiness of Europe, and of this generation, at the head of which Providence has placed us. ALEXANDER.—NAPOLEON.

No. III.—*Letter from M. de Champagny to Mr Secretary Canning. Erfurth, Oct.* 12, 1808.

SIR,—I have the honour to transmit to your excellency a letter which the emperor of the French and the emperor of the Russias write to his Britannic majesty. The grandeur and the sincerity of this step will, without doubt, be felt. That cannot be attributed to weakness which is the result of the intimate connection between the two greatest sovereigns of the Continent, united for peace as well as for war.

His majesty the emperor has commanded me to make known to your excellency, that he has nominated plenipotentiaries, who will repair to that city on the Continent to which his majesty the king of Great Britain and his allies shall send their plenipotentiaries. With respect to the basis of the negociation, their majesties are disposed to adopt those formerly proposed by England herself; namely, the *uti possidetis*, and any other basis founded upon justice, and the reciprocity and equality which ought to prevail between all great nations. I have the honour to be, with the highest consideration, &c.

CHAMPAGNY.

No. IV.—This is a copy of a letter (No. II.) from Bonaparte and his majesty the emperor of all the Russias to his majesty, which was transmitted by the Russian minister.

No. V.—*Letter from Mr Canning to the Russian Ambassador at Paris. Foreign Office, Oct.* 22.

SIR,—At the desire of Count Nicolas de Romanzoff, I have the honour to acknowledge to your excellency the receipt of the letter which Count Romanzoff has been pleased to write to me from Erfurth, dated the 30th of September, (12th October,) as well as the letter annexed to it, addressed to the king my master. I shall lose no time in laying these two letters before his majesty, and in transmitting the answers to your excellency by an English courier. I have the honour to be, &c.

G. CANNING.

No. VI.—A similar letter from Mr Canning to M. de Champagny.

No. VII.—*Letter from Mr Canning to the Russian Ambassador at Paris. Oct.* 28, 1808.

SIR,—Having laid before the king my master the two letters which his excellency the Count Nicolas de Romanzoff has transmitted to me from Erfurth, I have received his majesty's commands to reply to that which is addressed to him, by the official note which I have the honour to inclose to your excellency.—However desirous his majesty might be to reply directly to his majesty the emperor of Russia, you cannot but feel, sir, that from the unusual manner in which the letters signed by his impe-

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rial majesty, were drawn up, and which has entirely deprived them of the character of a private and personal communication, his majesty has found it impossible to adopt that mark of respect towards the emperor Russia, without at the same time acknowledging titles which his majesty never has acknowledged! I am commanded to add to the contents of the official note, that his majesty will hasten to communicate to his majesty the king of Sweden, and to the existing government of Spain, the proposals which have been made to him. Your excellency will perceive that it is absolutely necessary that his majesty should receive an immediate assurance that France acknowledges the government of Spain as party to any negociation. That such is the intention of the emperor of Russia his majesty cannot doubt. His majesty recollects with satisfaction the lively interest which his imperial majesty has always manifested for the welfare and dignity of the Spanish monarchy; and he wants no other assurance that his imperial majesty cannot have been induced to sanction, by his concurrence or by his approbation, usurpations, the principle of which is not less unjust than their example is dangerous to all legitimate sovereigns. As soon as the answers on this point shall have been received, and as soon as his majesty shall have learnt the sentiments of the king of Sweden, and those of the government of Spain, I shall not fail to receive the commands of his majesty for such communications as it may be necessary to make upon the ulterior of the letter of Count Romanzoff.—I have the honour to be, &c.

GEORGE CANNING.

No. VIII.—*Letter from Mr Canning to M. de Champagny. Oct. 28.*

SIR,—Having laid before the king my master the two letters which your excellency transmitted to me from Erfurth, one of which was addressed to his majesty, I have received his majesty's command to return in answer to that letter the official note which I have the honour herewith to inclose.

I am commanded to add, that his majesty will lose no time in communicating to the king of Sweden, and to the government of Spain, the proposals which have been made to his majesty.

Your excellency will see the necessity of an assurance being immediately afforded to his majesty that the admission of the government of Spain as a party to the negociation is understood, and agreed to by France.

After the answer of your excellency upon this point shall have been received, and so soon as his majesty shall be in possession of the sentiments of the king of Sweden, and of the government of Spain, I shall receive his majesty's commands to communicate with your excellency on the remaining points of your letter. I have the honour to be, &c.

GEORGE CANNING.

No. IX.—*Official Note.*

The king has uniformly declared his readiness and desire to enter into negociations for a general peace, on terms consistent with the honour of his majesty's crown, with fidelity to his engagements, and with the permanent repose and security of Europe. His majesty repeats that determination.

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If the condition of the continent be one of agitation and of wretchedness; if many states have been overthrown, and more still menaced with subversion, it is a consolation to the king to reflect, that no part of the convulsions which have already been experienced, or of those which are threatened for the future, can be in any degree imputable to his majesty. The king is most willing to acknowledge that all such dreadful changes are indeed contrary to the policy of Great Britain.

If the cause of so much misery is to be found in the stagnation of commercial intercourse—although his majesty cannot be expected to hear, with unqualified regret, that the system devised for the destruction of the commerce of his subjects has recoiled upon its authors or its instruments—yet is it neither in the disposition of his majesty, nor in the character of the people over whom he reigns, to rejoice in the privations and unhappiness even of the nations which are combined against him. His majesty anxiously desires the termination of the sufferings of the continent.

The war in which his majesty is engaged was entered into by his majesty for the immediate object of national safety! It has been prolonged only because no secure and honourable means of terminating it have hitherto been afforded by his enemies.

But in the progress of the war, begun for self-defence, new obligations have been imposed upon his majesty, in behalf of powers whom the aggressions of a common enemy have compelled to make common cause with his majesty, or who have solicited his majesty's assistance and support in the vindication of their national independence.

The interests of the crown of Portugal, and of his Sicilian majesty, are confided to his majesty's friendship and protection.

With the king of Sweden his majesty is connected by ties of the closest alliance, and by stipulations which unite their counsels for peace as well as for war.

To Spain his majesty is not yet bound by any formal instrument; but his majesty has, in the face of the world, contracted with that nation engagements not less sacred, and not less binding upon his majesty's mind, than the most solemn treaties.

His majesty, therefore, assumes that, in an overture made to his majesty for entering into negociations for a general peace, the relations subsisting between his majesty and the Spanish monarchy have been distinctly taken into consideration, and that the government acting in the name of his catholic majesty, Ferdinand the Seventh, is understood to be a party to any negociation in which his majesty is invited to engage. GEORGE CANNING.

No. X.—*Letter from Count Nicolas de Romanzoff to Mr Canning. Paris, 31st Oct. 1808.*

SIR,—The immediate departure of the English courier who conveyed to me your excellency's letter of the 28th of this month obliges me to confine myself for the present to the acknowledgment of its receipt. I rejoice that my arrival at Paris has enabled me to receive that letter myself, which was addressed to the Russian ambassador; and M. de Tolstoi, who held that post, having been recalled by the emperor my master, in order to his being succeeded by the prince de Kourakin,

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I am happy to find myself in a situation to correspond directly with your excellency.—I have the honour to be, with sentiments of high consideration, &c.

COUNT N. DE ROMANZOFF.

No. XI.—*Letter from M. de Champagny to Mr Canning. Paris, Oct.* 31, 1808.

SIR,—His majesty the emperor, my master, having left Paris, I am not willing to wait his orders to acknowledge the receipt of the letter which your excellency did me the honour to write to me on the 28th of this month, and which I received this morning, as also of the official note which was annexed to it. I shall lose no time in forwarding these papers to his imperial majesty; and, as soon as his intentions shall be made known to me, I shall hasten to send another courier to your excellency.—I am, with the highest consideration, &c. CHAMPAGNY.

No. XII.—*Letter from Count Nicolas de Romanzoff to Mr Canning. Paris,* 16*th* (8*th*) *Nov.* 1808.

SIR,—I transmit to your excellency my answer to the note of the 28th October, which you were pleased to address to Count de Tolstoi; and I hasten to seize this fresh opportunity of renewing to your excellency the assurances of the high consideration with which I have the honour to be, &c.

COUNT N. DE ROMANZOFF.

No. XIII.—*Note.*

The undersigned minister for foreign affairs of his majesty the emperor of all the Russias has the honour to reply to the note of the 25th of October, signed by Mr Canning, secretary of state for foreign affairs to his majesty the king of Great Britain, and addressed by his excellency to the Russian ambassador at Paris:—

That the admission of the sovereigns in alliance with England to a congress cannot be a point of any difficulty, and that Russia and France consent to it. But this principle by no means extends to the necessity of admitting the plenipotentiaries of the Spanish insurgents. The emperor of Russia cannot admit them. His empire, in similar circumstances,—and England can recollect one particular instance,—has always been true to the same principle. Moreover, he has already acknowledged the king Joseph Napoleon. He has announced to his Britannic majesty that he was united with the emperor of the French for peace as well as for war; and his imperial majesty here repeats that declaration. He has resolved not to separate his interests from those of that monarch; but they are both ready to conclude a peace, provided it be just, honourable, and equal for all parties.

The undersigned sees with pleasure, that, in this difference of opinion respecting the Spaniards, nothing presents itself which can either prevent or delay the opening of a congress. He derives his persuasion in this respect from that which his Britannic majesty has himself confided to the two emperors, that he is bound to no positive engagement with those who have taken up arms in Spain.

After fifteen years of war, Europe has a right to demand peace. The interest of all the powers, including that of England, is to render it general: humanity commands it; and such a desire, surely, cannot be fo-

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reign to the feelings of his Britannic majesty. How can it be that he alone can withdraw himself from such an object, and refuse to terminate the miseries of suffering humanity!

The undersigned consequently renews, in the name of the emperor his august master, the proposal already made, to send plenipotentiaries to any city on the continent which his Britannic majesty may please to point out; to admit to the congress the plenipotentiaries of the sovereigns in alliance with Great Britain; to treat upon the basis of the *uti possidetis*, and upon that of the respective power of the belligerent parties: in fine, to accept any basis which may have for its object the conclusion of a peace in which the parties shall find honour, justice, and equality.

The undersigned has the honour to renew to his excellency Mr Canning the assurances of his high consideration. COUNT DE ROMANZOFF.

No. XIV.—*Letter from M. de Champagny to Mr Canning. Paris, 28th Nov.* 1808.

SIR,—I have the honour to transmit to your excellency the answer which I have been commanded to make to the note which accompanied your letter of the 28th of October last. I have the honour to be, with the highest consideration, &c.

CHAMPAGNY.

No. XV.—*Note.*

The undersigned has laid before the emperor, his master, the note of his excellency Mr Canning.—If it were true that the evils of war were felt only on the continent, certainly there would be little hope of attaining peace.

The two emperors had flattered themselves that the object of their measure would not have been misinterpreted in London. Could the English ministry have ascribed it to weakness or to necessity, when every impartial statesman must recognize, in the spirit of peace and moderation by which it is dictated, the characteristics of power and true greatness? France and Russia can carry on the war so long as the court of London shall not recur to just and equitable dispositions; and they are resolved to do so!

How is it possible for the French government to entertain the proposal which has been made to it, of admitting to the negociation the Spanish insurgents? What would the English government have said, had it been proposed to them to admit the catholic insurgents of Ireland? France, without having any treaties with them, has been in communication with them, has made them promises, and has frequently sent them succours. Could such a proposal have found place in a note, the object of which ought to have been, not to irritate, but to endeavour to effect a mutual conciliation and good understanding!

England will find herself under a strange mistake, if, contrary to the experience of the past, she still entertains the idea of contending successfully upon the continent against the armies of France. What hope can she now have, especially as France is irrevocably united with Russia?

The undersigned is commanded to repeat the proposal, to admit to the negociation all the allies of the king of England; whether it be the king who reigns in the Brazils; whether it be the king who reigns in Sweden; or whether it be the king who reigns in Sicily; and to take for the basis of the negociation the *uti*

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possidetis. He is commanded to express the hope, that, not losing sight of the inevitable results of the force of states, it will be remembered, that, between great powers, there is no solid peace but that which is at the same time equal and honourable for all parties. The undersigned requests his excellency Mr Canning to accept the assurances of his highest consideration. CHAMPAGNY.

No. XVI.—*Letter from Mr Canning to Count Nicolas de Romanzoff. Dec.* 7, 1808.

SIR,—I shall lose no time in transmitting to your excellency, by an English courier, the answer which the king my master shall command me to return to the official note annexed to the letter of your excellency, dated the 16-28th of last month, of which I have the honour to acknowledge the receipt. I seize with avidity this opportunity of renewing to your excellency the assurances of the high consideration with which I have the honour to be, &c.

GEORGE CANNING.

No. XVII.—*Official Note, Dec.* 9.

The undersigned, his majesty's principal secretary of state for foreign affairs, has laid before the king, his master, the note transmitted to him by his excellency the Count Nicolas de Romanzoff, minister for foreign affairs of his majesty the emperor of all the Russias, dated on the 16-25th of November. The king learns with astonishment and regret the expectation which appears to have been entertained that his majesty should consent to commence a negociation for a general peace by the previous abandonment of the cause of the Spanish nation, and of the legitimate monarchy of Spain, in deference to an usurpation which has no parallel in the history of the world. His majesty had hoped that the participation of the emperor of Russia in the overtures made to his majesty would have afforded a security to his majesty against the proposal of a condition so unjust in its effect, and so fatal in its example.

Nor can his majesty conceive by what obligation of duty or of interest, or by what principle of Russian policy, his imperial majesty can have found himself compelled to acknowledge the rights assumed by France, to depose and imprison friendly sovereigns, and forcibly to transfer to herself the allegiance of loyal and independent nations.

If these be indeed the principles to which the emperor of Russia has inviolably attached himself; to which his imperial majesty has pledged the character and resources of his empire; which he has united himself with France to establish by war, and to maintain in peace, deeply does his majesty lament a determination by which the sufferings of Europe must be aggravated and prolonged: but not to his majesty is to be attributed the continuance of the calamities of war, by the disappointment of all hope of such a peace as would be compatible with justice and with honour. GEORGE CANNING.

No. XVIII.—*Letter from Mr Canning to M. de Champagny, Dec.* 7.

SIR,—I have the honour to acknowledge the receipt of your excellency's letter of the 28th of last month, and of the official note therein inclosed. As soon as I shall have received the king's commands upon the subject of that note, I shall not fail to transmit to your excellency,

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by an English messenger, the answer which his majesty may command me to return to it.

I have the honour to be, with the highest consideration, &c.

GEORGE CANNING.

No. XIX.—*Official Note, Dec.* 9.

The undersigned, his majesty's principal secretary of state for foreign affairs, has laid before the king, his master, the note transmitted to him by his excellency M. de Champagny, dated the 28th of November.

He is especially commanded by his majesty to abstain from noticing any of those topics and expressions insulting to his majesty, to his allies, and to the Spanish nation, with which the official note transmitted by M. de Champagny abounds.

His majesty was desirous to have treated for a peace which might have arranged the respective interests of all the powers engaged in the war on principles of equal justice; and his majesty sincerely regrets that this desire of his majesty is disappointed.

But his majesty is determined not to abandon the cause of the Spanish nation, and of the legitimate monarchy of Spain; and the pretension of France to exclude from the negociation the central and supreme government, acting in the name of his catholic majesty, Ferdinand VII., is one which his majesty could not admit, without acquiescing in an usurpation which has no parallel in the history of the world. GEORGE CANNING.

No. XX.—*Letter from Count Nicolas de Romanzoff to Mr Canning. Paris, 1st (13th) Dec.*

SIR,—The messenger which I had dispatched to your excellency is returned to this place, and has brought me the letter which you did me the honour to write to me on the 7th of December. Some hours afterwards, the messenger whom your excellency has sent to Paris delivered to me, from your excellency, a letter without date, which was accompanied by a note, dated the 9th of December. I shall transmit the whole for the information of the emperor my master. I avail myself of this opportunity to renew to your excellency the assurances of the high consideration with which I have the honour to be, &c.

COUNT N. DE ROMANZOFF.

No XXI.—*Letter from M. de Champagny to Mr Canning. Paris, December* 13.

SIR,—I have the honour to acknowledge the receipt of your excellency's letter of the 9th instant, together with the official note that accompanied it. I shall lose no time in laying this note before the emperor my master. I avail myself of this opportunity to renew to your excellency the assurances of the high consideration with which I have the honour to be, &c. CHAMPAGNY.

No. 42.—*Rupture of the Negociation between England, France, and Russia.—Declaration.*

The overtures made to his majesty by the governments of Russia and of France have not led to negociation; and the intercourse to which those overtures gave rise being terminated, his majesty thinks it right thus promptly and publicly to make known its termination. The continued appearance of a negociation, when peace has been found to be utterly unattainable, could be advantageous only to the enemy. It might

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enable France to sow distrust and jealousy in the councils of those who are combined to resist her oppression: and if, among the nations which groan under the tyranny of French alliance, or among those which maintain against France a doubtful and precarious independence, there should be any which even are balancing between the certain ruin of a prolonged inactivity and the contingent dangers of an effort to save themselves from that ruin,—to nations so situated, the delusive prospect of a peace between Great Britain and France could not fail to be peculiarly injurious. Their preparations might be relaxed, by the vain hope of returning tranquillity, or their purpose shaken, by the apprehension of being left to contend alone. That such was, in fact, the main object of France in the proposals transmitted to his majesty from Erfurth, his majesty entertained a strong persuasion. But at a moment when results so awful from their importance, and so tremendous from their uncertainty, might be depending upon the decision of peace or war, the king felt it due to himself to ascertain, beyond the possibility of doubt, the views and intentions of his enemies.

It was difficult for his majesty to believe that the emperor of Russia had devoted himself so blindly and fatally to the violence and ambition of the power with which his imperial majesty had unfortunately become allied, as to be prepared openly to abet the usurpation of the Spanish monarchy, and to acknowledge and maintain the right assumed by France to depose and imprison friendly sovereigns, and forcibly to transfer to herself the allegiance of independent nations.

When, therefore, it was proposed to his majesty to enter into negociation for a general peace, in concert with his majesty's allies, and to treat either on the basis of the *uti possidetis* (heretofore the subject of so much controversy) or on any other basis consistent with justice, honour, and equality, his majesty determined to meet this seeming fairness and moderation with fairness and moderation on his majesty's part, real and sincere. The king professed his readiness to enter into such negociation in concurrence with his allies, and undertook forthwith to communicate to them the proposals which his majesty had received. But as his majesty was not connected with Spain by a formal treaty of alliance, his majesty thought it necessary to declare that the engagements which he had contracted, in the face of the world, with that nation, were considered by his majesty as no less sacred, and no less binding upon his majesty, than the most solemn treaties; and to express his majesty's just confidence that the government of Spain, acting in the name of his catholic majesty, Ferdinand the Seventh, was understood to be a party to the negociation. The reply returned by France to this proposition of his majesty casts off at once the thin disguise, which had been assumed for a momentary purpose, and displays, with less than ordinary reserve, the arrogance and injustice of that government. The universal Spanish nation is described by the degrading appellation of "the Spanish insurgents;" and the demand for the admission of the government of Spain as a party to any negociation is rejected, as inadmissible and insulting. With astonishment, as well as with grief, his majesty has recei-

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ved from the emperor of Russia a reply similar in effect, although less indecorous in tone and manner. The emperor of Russia also stigmatizes, as "insurrection" the glorious efforts, of the Spanish people in behalf of their legitimate sovereign, and in defence of the independence of their country; thus giving the sanction of his imperial majesty's authority to an usurpation which has no parallel in the history of the world. The king would readily have embraced an opportunity of negociation which might have afforded any hopes or prospect of a peace compatible with justice and with honour. His majesty deeply laments an issue by which the sufferings of Europe are aggravated and prolonged. But neither the honour of his majesty, nor the generosity of the British nation, would admit of his majesty's consenting to commence a negociation by the abandonment of a brave and loyal people, who are contending for the preservation of all that is dear to man, and whose exertions, in a cause so unquestionably just, his majesty has solemnly pledged himself to sustain.

Westminster, Dec. 15, 1808.

END OF VOLUME I. PART I.

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